have received notice from the Administration regarding the further disposal of stockpile minerals and metals. These will include proposals for disposition from both the national and supplemental stockpiles of 115,000 ounces of platinum, 1,200,000 pounds of bismuth, 60,000,000 pounds of nickel, 7,640 tons of rare earth materials, 15,000,000 pounds of molybdenum, 55,000 short tons of magnesium.

I know that all of you in the mining industry do not object to stockpile releases where complete justification has been made for them in the interest of national security, or even when really needed to meet the needs of our economy, but I am keenly aware of the criticism of the manner in which many releases are made. Such criticisms are justifiable, and I urge all of you to be sure that your views are made known to Congress when these measures are up for consideration by the Congress.

Undoubtedly, there is real justification for the stockpiling of opium, castor oil, and feathers and down; but there is equal justification for maintenance of a sound mining industry with essential minerals and metals in the stockpile. On the other hand, it is my personal opinion that the interests of the mining industry cannot be best served if the policy of any Administration is to consider the mining industry itself as a stockpile.

Mr. Speaker, the following editorial by Gay Helen Barnett, managing editor of the Barstow Desert Dispatch, Barstow, Calif., appeared in the Desert Dispatch on Monday, October 16, 1967. I commend this feature story of the mining seminar to the attention of my colleagues and to the Government officials concerned with the problems of the mining industry:

RESOLUTIONS RECEIVED UNANIMOUS APPROVAL BY MINING DELEGATES

(By Gay Helen Barnett)

Over 800 miners and those representing mining interests unanimously approved four resolutions at the conclusion of the first annual mining seminar held at Barstow College Saturday.

The resolutions came after the day long seminar heard directors of nine federal agencies involved in mining determinations explain the positions and policies and help available from the different agencies.

There was one fact that was made absolutely clear at Saturday's mining seminar at Barstow College, and that is the miners and the mining industry is extremely unhappy with the federal government.

The extent of the miners unhappiness with government policy was most clearly stated when Representative Jerry Pettis told a news conference that the federal directors of agencies involved in mining had "real guts" to even appear at the seminar.

The panel of government experts was not allowed to answer questions from the floor, but only those submitted in writing earlier for evaluation by the screening committee. This plan was undoubtedly felt necessary by the government to prevent department heads from obligating it to what could be termed indiscreet statements or promises.

As uncommitting and unadmitting as the panelists were, their stand was received goodnaturedly by the miners, a crusty and outspoken group at heart.

Government gobbledygook was received with chuckles and hearty laughs, despite the fact the industry has good reason for their complaints.

I call miners crusty and outspoken, and that's not an insult, it's a deep down truth. Anyone with enough fortitude to try making a living by digging an expensive hole in the ground in the hopes they'll strike paydirt has got to have real courage and, because government has forced them to be independent of anyone or anything, they are indeed outspoken about their livelihood.

Despite the shackles put on the federal panelists, a lot of good did come out of the seminar. The mining industry had a chance to hear what programs are available to assist them in their work, and what must have been the best news to those attending was the "hint" that indeed there may be discrepancies in the administering of mining laws.

I predict the only problem arising as the result of the mining seminar in Barstow will be the battle royal as to who will host the affair next year. For a program planned for a couple of hundred interested in mining, the turnout of about 800, all concerned with the same subject, can only be termed fantastic. There will be many a San Bernardino County city bidding for the seminar next year. Let's hope the steering committee will see to it that it stays right here in Barstow. It's a boom to our economy, not to mention our status.

The first resolution asked that those departments of state and county governments concerned with planning and approval of new mines and mills be urged to change their attitudes and procedures to facilitate a better relationship with the mining industry and promote that industry. The resolution cited the problems and bottlenecks that have impeded progress of the mining industry.

The second resolution cited the importance of the future of our country that we have a strong mining industry. It stated that mines and miners have met with problems in the past from various federal agencies involved in administering the mining laws which at times has been impeded by unrealistic regulations to the extent it is now almost impossible to patent a mining claim. The resolution urged that Congress enact rules and regulations for the Department of the Interior to administer the mining law in the spirit and intent of Congress and the people of the United States.

The last resolution received a round of hearty applause from those attending the seminar as the resolution complained of the many years of artificial monetary restriction on the prices paid for gold and silver by the U.S. Treasury that has resulted in thousands of idle mines and unemployed miners. The resolution stated that for many years the government has paid parity and other forms of subsidies to farmers, merchant marine and aircraft industry, and also oil depletion allowances. It resolved that the President and the Congress either subsidize the mining industry or eliminate subsidies and restrictions altogether and return to a free economy for all. The resolution was met with an ovation as the miners unanimously approved the resolution.

By general agreement of the seminar attendance the annual seminar will be renamed the Western States Mining Seminar, designating the inclusion of the eleven states concerned with mining in the United States.

HOUSE OF REPRESENTATIVES

THURSDAY, OCTOBER 19, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

You have need of patience, so that you may do the will of God and receive the promise.—Hebrews 10: 36.

Let us pray.

O God and Father of us all, in this quiet moment of prayer we come with humble and contrite hearts acknowledging our dependence upon Thee and praying that with Thee we may live through these critical days with courage and with faith. Give to us an inner greatness of spirit, an inner graciousness of heart, and an inner gentleness of mind that we may be more than a match for the challenge of this hour. Make us patient with each other and understanding, for we do not know the battles others are fighting nor the experiences they are facing.

We pray for the men and women defending our freedom with their lives. Grant unto them strength in need, help in danger, healing in body, and courage of mind and heart. May their sacrifice not be in vain. With them may we unite in proclaiming the life of liberty and the fruits of freedom now and forever. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11456) entitled "An act making appropriations for the Department of Transportation for the fiscal year ending June 30, 1968, and for other purposes."

The message also announced that the Senate recedes from its amendment No. 13 to the foregoing bill.

COMMUNICATION FROM THE CLERK OF THE HOUSE—SUBPENA SERVED ON CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 18, 1967.

The Honorable the SPEAKER,
House of Representatives.

DEAR SIR: By this letter I am transmitting to you a subpoena which was served upon me on October 17, 1967.

This subpoena, issued by the United States District Court for the District of Columbia, commands my appearance on Monday, October 23, 1967 at 2 p.m., to testify on behalf of the United States regarding an investigation being conducted for possible violations of Title 18, United States Code, Sections 201, 287, 371, 641, 101, and 1505.

The rules, practices, customs, and precedents of the House of Representatives require that no official, staff member, or employee of the House may, either voluntarily or in obedience to a subpoena, testify regarding official functions, documents, or activities of the House without the consent of the House being first obtained.

The subpoena in question is herewith attached, and the matter is presented for such action as the House in its wisdom may see fit to take.

Respectfully submitted.

W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

The SPEAKER. Without objection, the subpena will be printed in the RECORD.

There was no objection.

The subpena referred to follows:

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

NOTE.—Report to room No. 3825, third floor, U.S. District Court Building, Third and Constitution Avenue, NW., Washington, D.C.

Spa ad Test—Court of Chief Judge Curran.

United States of America in re possible violations of title 18, United States Code, sections 201, 287, 371, 641, 1001 and 1505.

The President of the United States to the Honorable W. Pat Jennings, Clerk, House of Representatives, Washington, D.C.

You are hereby commanded to attend the said court on Monday, October 23, 1967 at 2:00 p.m., to testify on behalf of the United States, and not depart the court without leave of the court or the U.S. Attorney.

Witness, the Honorable Edward M. Curran, Chief Judge of said court, this 11th day of October A.D., 1967.

ROBERT M. STEARNS,
Clerk.

By: DANIEL J. MENCOBONI,
Deputy Clerk.

(Edward J. Barnes, John Wall, Benton L. Becker, attorneys for United States.)

COMMUNICATION FROM THE CLERK OF THE HOUSE—SUBPENA SERVED ON MR. HOLLOWELL

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 18, 1967.

The Honorable the SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEAR SIR: By this letter I am transmitting to you a subpoena which was served upon my legal advisor and administrative assistant, Mr. Hollowell, on October 18, 1967.

This subpoena, issued by the United States District Court for the District of Columbia, commands his appearance on Monday, October 23, 1967 at 2 p.m., to testify on behalf of the United States regarding an investigation being conducted for possible violations of Title 18, United States Code, Sections 201, 287, 371, 641, 1001, and 1501.

The rules, practices, customs, and precedents of the House of Representatives require that no official, staff member, or employee of the House may, either voluntarily or in obedience to a subpoena, testify regarding official functions, documents, or activities of the House without the consent of the House being first obtained.

The subpoena in question is herewith attached, and the matter is presented for such action as the House in its wisdom may see fit to take.

Respectfully submitted.

W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

The SPEAKER. Without objection, the subpena will be printed in the RECORD.

There was no objection.

The subpena referred to follows:

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Report to U.S. District Court House, between Third Street and John Marshall Place and on Constitution Avenue NW., room 3812, Washington, D.C.

The United States in re possible violations of title 18, United States Code, sections 201, 287, 371, 641, 1001 and 1505.

The President of the United States to Billie Gene Hollowell, legal advisor to the Clerk of the House of Representatives, House of Representatives, Washington, D.C.

You are hereby commanded to attend before the grand jury of said court on Monday, the 23d day of October 1967, at 2:00 o'clock p.m. to testify on behalf of the United States, and not depart the court without leave of the court or district attorney.

Witness: The Honorable Edward M. Curran, chief judge of said court, this 18th day of October 1967.

ROBERT M. STEARNS,
Clerk.

By: H. KLINE,
Deputy Clerk.

(Edward J. Barnes, John Wall, Benton L. Becker, attorneys for the United States.)

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON EDUCATION AND LABOR—SUBPENA SERVED ON MR. McCORD

The SPEAKER laid before the House the following communication from the chairman of the Committee on Education and Labor:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C., October 18, 1967.

Hon. JOHN W. MCCORMACK,
The Speaker,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Robert E. McCord, Chief Clerk of the Committee on Education and Labor, has received a Subpoena Ad Testificandum from the United States District Court dated October 17, 1967, to appear before a Grand Jury of said Court on Monday, October 23, 1967, at 2:00 p.m. in relation to possible violations of Title 18, United States Code, Sections 201, 287, 371, 641, 1001 and 1505. The rules and practice of the House of Representatives indicate that no official or employee of the House may either voluntarily or in obedience to a Subpoena Ad Testificandum appear without the consent of the House being first obtained.

The Subpoena Ad Testificandum is herewith attached and the matter is presented for such action as the House in its wisdom may see fit to take.

With kindest regards,

Sincerely,

CARL D. PERKINS,
Chairman.

The SPEAKER. Without objection, the subpena will be printed in the RECORD.

There was no objection.

The subpena referred to follows:

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Report to U.S. District Court House, between 3d Street and John Marshall Place and on Constitution Avenue NW., room 3812, Washington, D.C.

The United States in re possible violations of title 18, United States Code, sections 201, 287, 371, 641, 1001 and 1505.

The President of the United States to Robert McCord, clerk, House Committee on Education and Labor, House of Representatives, Washington, D.C.

You are hereby commanded to attend before the Grand Jury of said Court on Monday, the 23d day of October, 1967, at 2 o'clock p.m., to testify on behalf of the United States, and not depart the Court without leave of the Court or District Attorney.

Witness: The Honorable Edward M. Curran, chief judge of said court, this 17th day of October 1967.

ROBERT M. STEARNS,
Clerk.

By: H. KLINE,
Deputy Clerk.

(Edward J. Barnes, John Wall, Benton L. Becker, attorneys for the United States.)

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON EDUCATION AND LABOR—SUBPENAS SERVED ON MRS. DARGANS, MR. BERENS, MRS. SHULER AND MR. WARREN

The SPEAKER laid before the House the following communication from the chairman of the Committee on Education and Labor:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C., October 18, 1967.

Hon. JOHN W. MCCORMACK,
The Speaker, U.S. House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: Four additional employees of the Committee on Education and Labor have received Subpoenae Ad Testificandum from the United States District Court for the District of Columbia, each dated October 10, 1967, to appear before a Grand Jury of said Court in relation to possible violation of Title 18, United States Code, Sections 201, 287, 371, 641, 1001 and 1505.

These employees and the dates and times they have been commanded to attend the said Court are:

Mrs. Louise M. Dargans, Research Director on October 24, 1967, at 10:00 a.m.

Mr. Donald F. Berens, Administrative Assistant on October 25, 1967, at 10:00 a.m.

Mrs. Mary L. Shuler, Stenographer-Clerk Typist on October 24, 1967, at 10:00 a.m.

Mr. John E. Warren, Office Clerk on October 25, 1967, at 10:00 a.m.

The rules and practice of the House of Representatives indicate that no official or employee of the House may either voluntarily or in obedience to a Subpoena Ad Testificandum appear without the consent of the House being first obtained.

The Subpoenae Ad Testificandum are herewith attached and the matter is presented for such action as the House in its wisdom may see fit to take.

With kindest regards,

Sincerely,

CARL D. PERKINS,
Chairman.

The SPEAKER. Without objection, the subpenas will be printed in the RECORD.

There was no objection.

The subpenas referred to follow:

U.S. DISTRICT COURT FOR THE DISTICT OF COLUMBIA

Report to room No. 3825, third floor, U.S. District Court Building, Third and Constitution Ave. NW., Washington, D.C.

Spa ad Test—Court of Chief Judge Curran.

United States of America v. in re possible violations of title 18, United States Code, sections 201, 287, 371, 641, 1001 and 1505.

The President of the United States to Mrs. Louise M. Dargans, 301 G Street, SW., Washington, D.C., or House Committee on Education and Labor, House of Representatives, Washington, D.C.

You are hereby commanded to attend the said Court on Tue. Oct. 24, 1967 at 10:00 a.m., to testify on behalf of the United States, and not depart the court without leave of the court or the U.S. Attorney.

Witness, the Honorable Edward M. Curran, chief judge of said court, this 10th day of October AD., 1967

ROBERT M. STEARNS,
Clerk.

By: DANIEL J. MENCOBONI,
Deputy Clerk.

(Edward J. Barnes, John Wall, Benton L. Becker, attorneys for the United States.)

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Report to room No. 3825, third floor, U.S. District Court Building, Third and Constitution Ave. NW., Washington, D.C.

Spa ad Test—Court of Chief Judge Curran.

United States of America in re possible violations of title 18, United States Code, sections 201, 287, 371, 641, 1001 and 1505.

The President of the United States to Donald F. Berens, 9863 Telegraph Road, Apartment 1, Lanham, Md., 20801 or House Committee on Education and Labor, House of Representatives, Washington, D.C.

You are hereby commanded to attend the said Court on Wednesday, October 25, 1967, at 10:00 a.m., to testify on behalf of the United States, and not depart the court without leave of the court or the U.S. attorney.

Witness, the Honorable Edward M. Curran, Chief Judge of said court, this 10th day of October AD., 1967.

ROBERT M. STEARNS,
Clerk.

By: DANIEL J. MENCOBONI,
Deputy Clerk.

(Edward J. Barnes, John Wall, Benton L. Becker, attorneys for the United States.)

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Report to room No. 3825, third floor, U.S. District Court Building, Third and Constitution Avenue NW., Washington, D.C.

Spa ad Test—Court of Chief Judge Curran.

United States of America in re possible violations of title 18, United States Code, sections 201, 287, 371, 641, 1001 and 1505.

The President of the United States to Mrs. Mary L. Schuler, 6509 Piney Branch Road NW., Washington, D.C. or House Committee on Education and Labor, House of Representatives, Washington, D.C.

You are hereby commanded to attend the said court on Tuesday, October 24, 1967, at 10:00 a.m., to testify on behalf of the United States, and not depart the court without leave of the court or the U.S. attorney.

Witness, the Honorable Edward M. Curran, chief judge of said court, this 10th day of October AD., 1967.

ROBERT M. STEARNS,
Clerk.

By: DANIEL J. MENCOBONI,
Deputy Clerk.

(Edward J. Barnes, John Wall, Benton L. Becker, attorneys for the United States.)

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Report to room No. 3825, third floor, U.S. District Court Building, Third and Constitutional Avenue NW., Washington, D.C.

Spa ad Test—Court of Chief Judge Curran.

United States of America in re possible violations of title 18, United States Code, sections 201, 287, 371, 641, 1001 and 1505.

The President of the United States to John E. Warren, 4065 Minnesota Avenue NE., Washington, D.C., or House Committee on Education and Labor, House of Representatives, Washington, D.C.

You are hereby commanded to attend the said court on Wednesday, October 25, 1967, at 10:00 a.m., to testify on behalf of the United States, and not depart the court without leave of the court or the United States attorney.

Witness, The Honorable Edward M. Curran, chief judge of said court, this 10th day of October AD., 1967.

ROBERT M. STEARNS,
Clerk.

By: DANIEL J. MENCOBONI,
Deputy Clerk.

(Edward J. Barnes, John Wall, Benton L. Becker, attorneys for the United States.)

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON HOUSE ADMINISTRATION—SUBPENA SERVED ON MR. LANGSTON

The SPEAKER laid before the House the following communication from the chairman of the Committee on House Administration:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, D.C., October 18, 1967.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: Julian P. Langston, Chief Clerk of the Committee on House Administration, has received a subpoena ad testificandum from the United States District Court for the District of Columbia, dated October 23, 1967, to appear before a Grand Jury of said Court on Monday, October 23, 1967 at 2:00 p.m. in relation to possible violations of Title 18, United States Code, Sections 201, 287, 371, 641, 1001 and 1505.

The rules and practices of the House of Representatives indicate that no official or employee of the House may either voluntarily or in obedience to a subpoena ad testificandum appear without the consent of the House.

The subpoena is attached herewith and the matter is presented for such action as the House in its wisdom may see fit to take.

Sincerely yours,

OMAR BURLESON,
Chairman.

The SPEAKER. Without objection, the subpena will be printed in the RECORD.

There was no objection.

The subpena referred to follows:

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Report to room No. 3825—third floor, U.S. District Court Building, Third and Constitution Avenue N.W., Washington, D.C.

Spa ad Test—Court of Chief Judge Curran.

United States of America v. in re Possible Violations of Title 18, United States Code, sections 201, 287, 371, 641, 1001 and 1505.

The President of the United States to Julian P. Langston, Chief Clerk, Committee on House Administration, Room H 326, House of Representatives, Washington, D.C.; and bring with you copies of: (1) H.R. 294 (88th Congress); (2) H.R. 7 (89th Congress); (3) Public Law 89-90 (89th Congress), H.R. 8775, enacted into law on July 27, 1965.

You are hereby commanded to attend the said court on Monday, October 23, 1967, at 2:00 p.m., to testify on behalf of the United States, and not depart the court without leave of the court or the U.S. attorney.

Witness, The Honorable Edward M. Curran, chief judge of said court, this —— day of ———— AD, 19—.

ROBERT M. STEARNS,
Clerk.

By ANNA M. KENNY,
Deputy Clerk.

(Edward J. Barnes, John Wall, Benton L. Becker, attorneys for the United States.)

AUTHORIZATION FOR HOUSE OFFICERS AND EMPLOYEES TO APPEAR AS WITNESSES BEFORE GRAND JURY

Mr. ALBERT. Mr. Speaker, I offer a privileged resolution (H. Res. 950) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 950

Whereas in the investigation of possible violations of Title 18, United States Code, Sections 201, 287, 371, 641, 1001 and 1505, a subpena ad testificandum was issued by the United States District Court for the District of Columbia and addressed to W. Pat Jennings, Clerk of the House of Representatives, directing him to appear before the grand jury of said court on October 23, 1967, to testify in connection with matters under investigation by the grand jury; and

Whereas other officers and staff employees of the House of Representatives have received, or may receive, subpenas ad testificandum to appear before the said grand jury in connection with the before-mentioned investigation; and

Whereas information secured by officers and staff employees of the House of Representatives pursuant to their official duties as such officers or employees may not be revealed without the consent of the House: Therefore be it

Resolved, That W. Pat Jennings, Clerk of the House of Representatives, is authorized to appear in response to the subpena beforementioned as a witness before the grand jury; and be it further

Resolved, That the Speaker of the House of Representatives is authorized to permit any other officer or employee of the House who is in receipt of or shall receive a subpena ad testificandum in connection with the proceedings conducted by the grand jury before-mentioned to appear in response thereto; and be it further

Resolved, That a copy of these resolutions be transmitted to the said court.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON S. 889, DESIGNATING SAN RAFAEL WILDERNESS, LOS PADRES NATIONAL FOREST

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 889), to designate the San Rafael Wilderness, Los Padres National Forest, in the State of California, with a House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Colorado? The Chair hears none, and appoints the following conferees: Messrs. BARING, JOHNSON of California, UDALL, SAYLOR, and REINECKE.

DISPOSITION OF JUDGMENT FUNDS TO CREDIT OF CHEYENNE-ARAPAHO TRIBES OF OKLAHOMA

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1933) to provide for the disposition of judgment funds now on deposit to the credit of the Cheyenne-Arapaho Tribes of Oklahoma, with Senate amendments to the House amendment thereto, and concur in the Senate amendments.

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. ASPINALL]?

There was no objection.

The Clerk read the Senate amend-

ments to the House amendment, as follows:

Page 4, of the House engrossed amendment, strike out lines 6 to 11, inclusive.

Page 4, line 12, of the House engrossed amendment, strike out "7." and insert "6."

Page 5, line 1, of the House engrossed amendment, strike out "8." and insert "7."

The Senate amendments to the House amendment were concurred in.

A motion to reconsider was laid on the table.

PERMISSION TO FILE REPORT ON APPROPRIATION BILL FOR MILITARY CONSTRUCTION FOR THE DEPARTMENT OF DEFENSE

Mr. SIKES. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight Friday, October 20, 1967, to file a report on the bill making appropriations for military construction for the Department of Defense, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. SIKES]?

There was no objection.

Mr. TALCOTT reserved all points of order on the bill.

REQUEST FOR PERMISSION TO FILE CONFERENCE REPORTS ON H.R. 9960, INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING APPROPRIATION BILL, AND H.R. 1274, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION APPROPRIATION BILL FOR 1968

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent that the conferees on the bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes; and on the bill (H.R. 12474) making appropriations for the National Aeronautics and Space Administration for the fiscal year ending June 30, 1968, and for other purposes, may have until midnight Friday to file conference reports.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. EVINS]?

Mr. TALCOTT. Mr. Speaker, reserving the right to object, the gentleman from North Carolina [Mr. JONAS], the ranking minority member on this subcommittee, is ill. This is a very controversial bill, it involves large sums of money, and the conferees are still in conference. There are some 60 items of disagreement. There is some serious disagreement. It is a large bill, and requires thorough study. For these reasons I am constrained, on behalf of myself and others, to object.

Mr. EVINS of Tennessee. Mr. Speaker, if the gentleman will yield?

Mr. Speaker, the gentleman from North Carolina [Mr. JONAS], a valued member of our committee, has been ill for the past 2 weeks. I went out to see him at the hospital at Bethesda. He was on the floor yesterday afternoon and he said he would be at the conference meeting today. I have just spoken to the gentleman from Ohio [Mr. Bow] and he said that we must get on with this conference which has been too long delayed.

Mr. Speaker, this bill was passed on May 17. Of course, we are all sorry about the illness of our colleague, but I think we should move on with this matter so that the conference report may be filed.

Mr. Speaker, I hope the gentleman will withdraw his objection.

Mr. TALCOTT. I sympathize with our chairman's feelings. We are anxious to get on with this bill, too. But the gentleman from North Carolina [Mr. JONAS] is the ranking member of this committee on our side and he is ill. He asked me to object. For that reason I do object.

The SPEAKER. Objection is heard.

DEMONSTRATORS SHOULD BE DEALT WITH FIRMLY AND QUICKLY

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, the draft dodgers at the University of Wisconsin and in Oakland, Calif., have given us a preview of what might happen here in Washington this Saturday. The demonstrators during the past several days have fought back at the police, hurling rocks, shoes, and other objects and have refused to disperse.

Even though the leaders profess to adhere to the policy of nonviolence, the word has gone out for militant violent protest by individuals during these demonstrations. To gain publicity they know that they must attack the police or armed soldiers who might be around to maintain order. The more violent they become, the more publicity they get.

And Saturday you can expect to hear the old Communist cry of police brutality.

I have asked the Attorney General to prosecute anyone who violates any laws during these demonstrations Saturday. The right to freedom of speech I certainly agree with, but the right to disrupt and destroy our Armed Forces certainly was never contemplated by our Founding Fathers under the protection given under the first amendment.

The bearded ones, the hippies, and the traitors will all be here on Saturday. The people of the United States expect them to be dealt with firmly and quickly if they attempt to stop the operation of the Pentagon.

APPROPRIATIONS FOR THE DEPARTMENTS OF HOUSING AND URBAN DEVELOPMENT

Mr. ROONEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, at this very moment, the conferees are considering the appropriation of the Department of Housing and Urban Development. The issues before these conferees include programs involving hundreds of millions of dollars. I hope that in their deliberations they will not overlook a small but important program. Last spring, HUD established the metropolitan expediter program on a pilot basis to acquaint local officials with the many Federal assistance programs available to them and to help them use these programs effectively. In May, the House denied funds for the program. Since then, the Senate has restored $350,000 so that the program can be reinstated on a small experimental basis.

One of the four areas to receive the services of an expediter was the Allentown-Bethlehem-Easton metropolitan area in my district. The program has been of great value to local officials throughout this area. Its greatest impact, according to Mayor Payrow, of Bethlehem, was on smaller communities in the area which felt that, for the first time, they too had a chance to participate in federally assisted programs. Other officials throughout this metropolitan area have strongly urged that the program be reinstated.

I have also been advised that continuance of this program is strongly supported by local officials in the Providence, St. Louis, and Minneapolis-St. Paul metropolitan areas where expediters had also been assigned.

By helping local officials use Federal assistance more effectively, this program can save millions of dollars. To bring about these savings and to keep this popular and promising program alive, I would hope that the conferees will be persuaded to agree to the small appropriation of $350,000 necessary to do so.

SOVIET SOFT LANDING ON VENUS

Mr. KARTH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KARTH. Mr. Speaker, I join with the distinguished gentleman from California [Mr. MILLER] in pointing out to the House that indeed the Soviet Venus soft landing shot of yesterday was an outstanding technological achievement.

The fact of the matter is there is a good deal of newspaper speculation on the point that this puts the United States behind in this very important technological area by some 5 or 6 years. While I do not want to debate whether it is 5 or 6 years or whether it is 7 or 8 years, it is, of course, a fact that the United States is seriously behind in this very important area.

I might say, Mr. Speaker, that the only mission of comparable capability that we have is the mission that the Committee on Appropriations has already chosen to delete. If that action is sustained throughout the remainder of this session

of Congress, then we are indeed behind the Soviet Union, and I would hesitate not at all to guess it is more like 7 or 8 years behind, rather than 5 or 6.

M–16 RIFLE DEFICIENCIES

Mr. HOWARD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HOWARD. Mr. Speaker, the report released last night by the Special Armed Services Subcommittee on the M–16 rifle program shows that the handling of the problem by the military borders on national scandal.

Every American owes a great debt of gratitude to the distinguished chairman of the House Armed Services Committee, Representative L. MENDEL RIVERS; to the subcommittee chairman, Representative RICHARD ICHORD, of Missouri; and his committee members, Representative SPEEDY O. LONG, of Louisiana, and Repprepresentative WILLIAM G. BRAY, of Indiana.

Were it not for the efforts of these Members of Congress, I cannot help but feel that many of the shocking facts uncovered by the special subcommittee would never have been made public to the American people.

While the ostrich-like approach taken by the military on this matter borders on national scandal, I hope we will quickly move ahead in the future to correct these deficiencies rather than spending all of our time trying to fix the blame.

I strongly endorse the subcommittee's recommendation for a new testing by an independent organization.

This recommendation should be quickly approved in view of the fact that the subcommittee feels there is still no proof that the modifications proposed will eliminate the malfunctions experienced with the M–16 rifle in Vietnam.

On May 22, 1967, I stood in this well and read excerpts from a letter by a combat Marine from the Asbury Park, N.J., area, which said in part:

> Particularly every one of our dead was found with his rifle torn down next to him where he had been trying to fix it.

The response from military officials to my letter said there were no known instances of excessive malfunctioning. The subcommittee report clearly shows that the response from the military was less than candid.

RUSSIAN LANDING ON VENUS

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, Communist Russia's soft landing of a spacecraft on Venus is of grave concern.

The Russian sputnik in 1957 shocked the United States out of some of its lethargy and alarmed the free world. The Russian soft landing on Venus indicates again the tremendous stride Russia has made in rocketry and space exploration. It is a manifestation of the importance Russia places on the race to the moon and to the planets.

The Venus landing represents huge expenditures by Russia. It proves beyond question the priority and importance that Communist Russia accords space and planet exploration.

The Russians are dead serious about becoming the first to land on the moon. They are serious and determined to be No. 1 in space. It is true that we have a treaty with Russia regarding peaceful exploration of space, but it is equally true that with Russia in control of space with bases in space, they can and will be converted overnight to military blackmail and military conquest.

With Russia firmly established in space, military conquest of the free world might not be necessary. Russia could perhaps control the currents of the air and sea, seriously affecting weather in the Western World.

Mr. Speaker, I believe that with Russian superiority in space, neither military conquest nor control of the weather would be necessary for Communist ascendancy. With Russian spacemen on the moon and on planets, the neutral nations of the world would flock to the Russian banner. The socialist system would be accepted as superior and America, would be isolated. It would be only a question of time. Economic strangulation would then be the road to Red Russian victory.

Mr. Speaker, to me it is incredible that we do not accept this grave challenge, tighten our belts and spend whatever necessary to win the race to the moon, to the planets and for the conquest of space to secure our freedom. The destiny and future of our country hangs in the balance.

Make no mistake about it—if Russia controls space, it will be for war and conquest. If the United States is first in space, it will be for peace and freedom.

UNITED STATES AND SOVIET UNION INTERPLANETARY MISSIONS

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, we certainly cannot detract from the achievement of the Soviet Union in landing a mission on Venus. However, I do believe it is wise to point out that altogether the Soviet Union has launched 18 known planetary missions, 11 to Venus and seven to Mars, and only the last mission was successful.

In contrast, the United States has launched five and three of these have been successful.

I should like also to point out that it is not the landing on Venus which is important; it is not the information we get from Venus, nor the data. What is important is the vast storehouse of knowledge gained in reaching these objectives and the use of that knowledge for the benefit of mankind. And in this area the United States is far ahead.

REPUBLICAN WRECKING CREW

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, our Republican colleagues are in the process of compiling one of the most reactionary and destructive records in the long history of Congress.

One would have to go back, I think, to the New Deal or to the Truman era to find an appropriate comparison to the overwhelmingly negative voting record compiled by the Republicans in the House.

To date, the Republicans have voted overwhelmingly against every major domestic program of the Johnson administration—from the war on poverty to aid to education.

They have turned their backs on a tradition of bipartisan support for the President in foreign affairs during a crisis period.

They have offered nothing positive—no alternative programs worthy of consideration. Nothing has emanated from their ranks but the same woeful chorus of complaint and obstruction that has become the Republican hallmark in our national life.

They have even voted overwhelmingly—twice—against the rat bill.

This is the record, Mr. Speaker, and the opposition will have to live with it in 1968. I can assure them that the Democrats will not allow the American people to forget the members of the Republican wrecking crew who have turned their backs on every social and economic problem since 1960.

This is their record. And they will just have to face the consequences with the folks back home. I have no doubt, Mr. Speaker, that in 1968 the wreckers will be wrecked.

The American people will deal in kind with those who have remained cruelly indifferent to their needs and aspirations.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 2508, CONGRESSIONAL REDISTRICTING, UNTIL MIDNIGHT TONIGHT

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight tonight to file a conference report on H.R. 2508.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. GROSS. Mr. Speaker, reserving the right to object, what is the bill?

Mr. CELLER. That is the redistricting bill.

Mr. GROSS. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CALL FOR JUSTICE DEPARTMENT TO PROSECUTE ANY VIOLATIONS OF FEDERAL LAW AT SO-CALLED ANTIWAR RALLY SATURDAY

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I have requested the Justice Department to take legal action against any demonstrators who try to disrupt any Government functions Saturday during the so-called antiwar rally. I have also urged the Justice Department to look into those who have planned and financed this nationwide movement.

I have been led to believe that the ultimate object of the march and the demonstrations is to disrupt activity and work at the Pentagon. This on its face is seditious. I have requested the Justice Department to take action on the grounds of sedition against anyone involved with the interference of Government work.

In a reply to me, the Justice Department said it would take action against anyone who violated a Federal law. Sedition is a Federal law. If that law is broken Saturday, I expect to see arrests made by the Department.

The law is on the books. It must be enforced. We cannot long stand as a nation if this type of conduct develops.

I would also warn that the guise of antiwar that this demonstration is being conducted under is somewhat misleading.

People connected with the Communist Party have been the motivators of many of the demonstrations we are witnessing around the country this week. I expect there will be people in the Washington demonstration who have traveled to North Vietnam. In fact, I have heard that one who sat on the panel of the kangaroo court and condemned the United States is among the organizers of the march.

There may be many among the demonstrators who are simply objecting to the war. But these people have been led by others who seek more than to simply express their views on the war.

But regardless, their right of freedom of speech is another matter completely from disrupting Government or the confrontation with law enforcement agencies.

I trust the Justice Department will exert some leadership and live up to its promise to take action against those who attempt to disrupt the operations of the Government, no matter what the guise these demonstrators use.

PUBLIC STATEMENTS OF DR. JAMES L. GODDARD CRITICIZED

Mr. KUYKENDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. KUYKENDALL. Mr. Speaker, the wire services yesterday carried one of the most shocking statements I have ever seen attributed to a high Government official. A UPI story quoted Dr. James L. Goddard, Commissioner of the Food and Drug Administration as saying he would not object any more to his college daughter smoking pot than he would to her drinking a cocktail. I believe Congress should demand the immediate resignation of Dr. Goddard.

Such a statement by the head of an important Federal department is completely irresponsible and, in my opinion, makes Dr. Goddard unfit to head a division which has control over the food and drug laws of the Nation. For a man in such a position to encourage the belief that there is little harm in using marihuana, which is illegal, in the face of all the evidence of the crime and misery caused by users of this drug, is absolutely inexcusable. If this is Dr. Goddard's attitude toward his own college-age children, I suppose there is little that can be done about it, but he certainly should be prevented from using the prestige of a high Federal office to encourage delinquency and the smoking of pot by youngsters outside his family.

Although I have no authority to summon Dr. Goddard before the Committee on Interstate and Foreign Commerce on which I serve, I hope the occasion will arise soon that will bring him before the committee so that I may question him in detail concerning his beliefs regarding the use of illegal and harmful drugs by teenagers. In the meantime I urge his immediate resignation as Commissioner of the Food and Drug Administration as a protection for the youth of this country against such sick and utterly intolerable advice.

The news release follows:

MINNEAPOLIS.—Marijuana is no more dangerous than alcohol, Dr. James L. Goddard, Commissioner of the Food and Drug Administration, said yesterday.

Goddard spoke to an audience of more than 200 students and faculty members at the University of Minnesota.

He said he would not object any more to his college daughter smoking pot than he would to her drinking a cocktail.

Goddard is the father of three college-age children.

The long-term affects of marijuana may be more serious, he said, but "I don't think it is any more dangerous than alcohol."

PUBLIC STATEMENTS OF DR. JAMES L. GODDARD CRITICIZED

Mr. CONABLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CONABLE. Mr. Speaker, I have read the New York Times report of Dr. James Goddard's remarks to which the gentleman from Tennessee has referred, and like him, I would like to express my dismay. When I served on the Public Health Committee of the New York State Senate I heard a great deal of testimony about the virtually irremediable disease of drug addiction. Many foolish young people have walked this one-way street only because they took their first steps under the illusion that marihuana is safe. Marihuana is the most valuable tool the narcotics pushers have. If its own affects are uncertain, where it leads is not.

It is appalling to me to hear the head of our FDA apparently condoning the increasing permissiveness with which society is viewing marihuana. This same bureaucrat, in his zeal to protect the public has delayed time and again the introduction of medicines designed to heal or treat disease by reputable business organizations. Despite our impatience, we have not criticized apparently arbitrary delays of this sort in the past, feeling that in this field caution is frequently sound public policy. But how are we to explain such loose and dangerous talk from this same cautious bureaucrat, particularly in the face of today's soaring illegal narcotics use? Mr. Speaker, I expect better judgment from a man whose job it is to protect the public.

PUBLIC STATEMENTS OF DR. JAMES L. GODDARD CRITICIZED

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I have in my hand a UPI release dated October 18 which quotes the Commissioner of the Federal Food and Drug Administration as saying before a university audience:

He would not object any more to his college daughter smoking pot than he would to her drinking a cocktail.

Mr. Speaker, I am shocked that the Director of the Food and Drug Administration and a career physician with the U.S. Public Health Service would make a statement like this before a group of students at the University of Minnesota. Surely Dr. James Goddard realizes that marihuana is an addiction in the same sense that alcohol and cigarettes are, and even though it may have been his purpose to call attention to the dangers of alcohol, it is inconceivable to me that he would make such a statement in the context in which it has been reported. I can only regard it as a sheer act of momentary stupidity by a person who temporarily forgot his position and public trust. The article has been referred to and been inserted in the RECORD by my colleague from Tennessee.

PUBLIC STATEMENTS OF DR. JAMES L. GODDARD CRITICIZED

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I also rise in an expression of concern over the remarks of Dr. Goddard yesterday. I would like to suggest to the House that it is time for hearings on this difficult problem of narcotics use.

I have addressed the following letter to Dr. Goddard in regard to the article which appeared in the Washington Post, which I will also have printed in the RECORD along with the article:

HOUSE OF REPRESENTATIVES,
Washington, D.C., October 19, 1967.

Dr. JAMES L. GODDARD,
Commissioner, Food and Drug Administration, Washington, D.C.

DEAR DR. GODDARD: As elsewhere in the nation, some doctors and pharmacists in my District have been displeased from time to time by past decisions by you or your office.

Because of the nature of your statement on marijuana as reported in the press earlier this week, I am sure I shall be receiving from highly respected people in these professions and in law enforcement in my District letters questioning the competence of the experimental work on which your conclusions were based. For this reason, would you be kind enough to send me a summary of this study.

Because of the nature of your remarks, I am also sending the enclosed letter to the Chairman of the House Interstate and Foreign Commerce Committee urging that you be called for a hearing to explore the studies FDA has made on drug use, abuse and dangers so that public information media or individuals will not interpret your remarks about marijuana improperly or as applicable to all narcotics or hallucenogenics.

Sincerely yours,

CLARENCE J. BROWN, Jr.,
Member of Congress,
Seventh Ohio District.

[From the Washington Post, Oct. 18, 1967]

FDA CHIEF MINIMIZES "POT" DANGER

MINNEAPOLIS, October 17.—The commissioner of the U.S. Food and Drug Administration said today he doubts marijuana is more dangerous than alcohol.

Dr. James L. Goddard spoke to an audience of more than 200 students and faculty members at the University of Minnesota and held a press conference.

The physician, who was appointed to the FDA in January 1966, said he would not object any more to his college-age daughter smoking marijuana than he would to her drinking a cocktail. He is the father of three college-age children.

Dr. Goddard said "the long-term effects of smoking marijuana may be more serious than the effects presently known" and he noted that both alcohol and marijuana distort the user's perception of reality.

"Society should be able to accept both alcohol and marijuana," Dr. Goddard said. He explained that they are unlike: alcohol depresses bodily functions while marijuana triggers hallucinations.

"I don't believe smoking marijuana leads to an addiction to stronger drugs," said the Food and Drug chief. "It is true most heroin users have smoked marijuana, but it is also true most heroin users have drunk milk. I have seen no proof there is any connection."

"Dr. Goddard said he thinks all law penalties for possession of marijuana should be removed, leaving penalties only for sale or distribution. He added that he does not favor "legalizing" the drug completely.

"We need more research on chronic use," he said, "and I think this research will start now."

Personal possession of marijuana carries too severe a penalty, Goddard said. "Marijuana is not as dangerous as LSD and yet the possession of LSD is not a felony," he said.

"Psychological dependence on marijuana is possible," said the first physician to head the Food and Drug Administration "but then a person can become psychologically dependent on any drug, including aspirin."

SST DEVELOPMENT VITAL TO U.S. ECONOMY

Mr. CLANCY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CLANCY. Mr. Speaker, I would like to at this time commend the Members of this body for the wisdom they displayed yesterday in rejecting efforts to curb or kill the supersonic transport program. I am gratified that a majority of my colleagues recognized the importance of moving ahead with this most promising venture which will benefit all Americans and the economy of our Nation.

The question as to whether this project should be pursued has been thoroughly explored, and it is well settled that development of a civil supersonic aircraft is eminently justified by its future favorable effect upon the economy of the United States.

To have delayed or scuttled the SST program would have been economy of the most illusory sort. It could have meant the waste of the approximately $500 million already put into the program and the anticipated beneficial effect on our balance of payments position, creation of jobs, and other economic boosts would have been lost.

It is most important to point out once again that the initial investment of the taxpayers in this unique development will be repaid. Unlike many other programs receiving government assistance, the SST program proposes to assure the return of the research and development expenditure, with interest.

I am pleased to bring to your attention once again, too, the fine work being done by the General Electric Co. on the design, development, and testing of the giant engine which will power the SST. These powerful turbojets are being developed and will ultimately be produced at the GE Flight Propulsion Division in Evendale, Ohio, which is located in the congressional district I represent. I am proud to note that design has met or exceeded original performance goals in all tests made so far, and I commend GE for its dedication to the success of this truly national project.

And once more, I wish to praise my colleagues for their vision in realizing that the SST program will not only keep the United States in the forefront of world aviation, but will result in many other benefits to the Nation as well.

THE M–16 RIFLE

Mr. FINDLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. I congratulate the gentleman from Missouri [Mr. ICHORD] and his colleagues on the special Armed Services subcommittee on the M–16 report released today. It is excellent and provides a splendid foundation for remedial action. I am confident the subcommittee will press forward to clear up and correct the whole mess.

Immediate exhaustive tests of M–16 rifles and ammunition along the lines recommended by subcommittee must be ordered at once, and when these are completed the Congress must demand that production of the improved rifle and ammunition be pressed at the highest possible level until allied forces in Vietnam are fully supplied.

Meanwhile, the Department of Defense should limit in every practical way the combat employment of troops equipped with the M–16 rifle.

It makes no sense to increase troop strength in Vietnam until all allied forces are equipped with the best rifle protection of which our technology is capable.

The Ichord report underscores the shocking fact that rifle procurement for Vietnam is a major scandal and a shameful chapter without parallel in U.S. wartime history.

The report is excellent as far as it goes, but it does not go far enough.

The Congress must insist that testing and improvement of the M–16 be undertaken quickly, be done thoroughly and that improved weapons and proper ammunition be manufactured and shipped at the earliest possible date to our combat forces. Holiday shutdowns and strikes such as those tolerated last summer at Colt Industries, the sole manufacturing plant for M–16's, must not again be permitted.

The Congress must also fix responsibility precisely for the costly error on ammunition, for inadequate training of personnel in the use of the weapon, for the inadequate production schedules, for the authorization of the sale of 20,300 M–16's to Singapore when our own forces were not fully supplied, and for the failure of the executive branch to invoke Taft-Hartley to prevent a 3-week strike in July.

The Congress should also study the obvious need for legislation to meet conflict of interest problems such as that posed by the employment of retired Gen. Nelson M. Lynde by Colt Industries after he had participated earlier in contract negotiations for the weapon.

MOST AMERICANS ARE DISTURBED AT THE PUBLIC DEMONSTRATIONS IN PROTEST OF THE WAR IN VIETNAM

Mr. RIEGLE. Mr. Speaker, I ask unanimous consent to address the House for 1 mintue and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RIEGLE. Mr. Speaker, I am disturbed, as I think most Americans are disturbed, at the public demonstrations being mounted at this time to protest the war in Vietnam. While each citizen has the right to express his or her views, I strongly believe that there is attached to that right a responsibility to insure that any expression of protest contribute to a better understanding of the issue at hand—and toward a constructive solution.

Furious protest that offers no direction, no clarity, no reasonable alternative, is actually destructive to the process of public problem solving.

Those of us who are searching for a new and better policy in Vietnam are hindered by massive demonstrations that only serve to heighten public emotion and multiply public confusion.

If our national direction in Vietnam or elsewhere is to change, it will finally change on the basis of the quietness of careful thought—the detailed examination of complex issues and relationships—and the soundness and rationality of the alternative policies suggested.

It is the sounder idea, not the loudest voice, that will finally prevail; the most thoughtful, factual inquiry, not the most enraged passion.

Mr. Speaker, those who choose to substitute violent protest for precise reason serve to undermine themselves, their country, and those in positions of public responsibility that are searching to find a better answer in Vietnam. Violent, directionless Vietnam protesters actually serve to delay the development of a new and sounder policy in Vietnam.

ADMINISTRATION DISPLAYS WEAKNESS IN DEALING WITH PLANNED DEMONSTRATIONS

Mr. SCHADEBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, I am not as concerned about the planned demonstrations to be held in Washington and throughout this Nation as I am concerned about the display of weakness on the part of this administration which is reflected in its willingness to negotiate with those whose purpose it is to embarrass our Government and to divide our Nation at a time when the welfare and safety of our young men in Vietnam is at stake.

I am concerned about the weakness of an administration that has reacted to threats by closing the White House to visitors, while the officially declared excuse is that repairs are to be made no one can ignore the more obvious reason which is to prevent incidents, which would arise out of sit-ins during the demonstration.

Many law abiding citizens have saved their money for years to take a trip to Washington. Now they are denied their rights to visit the White House because of the threats of those who are planning the mass demonstration in Washington. Must the rights and conveniences of our responsible citizens give way to the irresponsible actions of those who believe they are above the law?

More important is the fact that the show of appeasement on the part of the administration amounts to surrender. Saturday it will be closing down the White House—a victory for those who show contempt for our Government. The next time the defense establishment. Later the legislative halls of Congress.

It is high time we repudiate Government by appeasement and strengthen the voice and power of the law abiding citizens who have a respect for law and order and are willing to make their voices heard in the ballot box instead of on the streets.

"JOIN THE FIGHT"—PROJECT OF BURLINGTON COUNTY TIMES

Mr. CAHILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CAHILL. Mr. Speaker, I am pleased to bring to the attention of the House of Representatives and to the country, a contribution being made by the Burlington County Times, a daily newspaper published in the district which I represent in Congress, to the servicemen serving in U.S. posts throughout the world. The Burlington County Times has been sponsoring a "join the fight" program throughout the entire area serviced by the paper.

The program urges the citizens of Burlington County to correspond with servicemen and to send them gifts. Each week, the newspaper publishes what has become a growing list of servicemen stationed in various parts of the world, particularly in Vietnam. The editors of the newspaper anticipate that a great number of Christmas gifts will be received by the men in Vietnam and in other areas of the world as a result of this program.

I am happy to report that the "join the fight" program is receiving the enthusiastic support and commendation of people from all walks of life in the Burlington County area.

Mr. Speaker, I am convinced that this type of activity is invaluable in maintaining the high morale of our troops. It is a clear indication of the thoughtfulness, the generosity and the support of the citizens back home. It is certainly a great antidote to some of the draft card burnings that our troops have heard about through other periodicals. I am also convinced that as a result of this correspondence, many new and lasting friendships will be developed. I am happy, Mr. Speaker, to commend publicly the Burlington County Times, its publisher, editor, and entire staff and to respectfully suggest to other similar periodicals throughout the country participation in a similar program.

ANTIWAR DEMONSTRATIONS ASSIST THE NORTH VIETNAMESE

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I cannot think of anything that is more demoralizing to our troops in Vietnam than these anti-Vietnam war demonstrations in our country. And while I know that there are many people who are sincerely concerned about the war, and who are seriously and honestly looking for a solution, I wonder if those who have been urging that we cease the bombing of North Vietnam at this time have considered the fact that casualties among our American troops would increase seriously if such a bombing pause were ordered by the President.

Mr. Speaker, I have said here before—and I repeat it now—our best intelligence shows that our bombings of North Vietnam have successfully pinned down 175,000 North Vietnamese soldiers who are manning the anti-aircraft installations in North Vietnam. We have pinned down another 300,000 Communist soldiers in North Vietnam who are being used to supervise the repair of the damages that our bombers do. Women and children do the work but soldiers supervise them. That is a half million soldiers. If we were to end the bombing now with no assurances from the North Vietnamese that they are not going to move those troops into South Vietnam and use them against our soldiers, we would increase our casualties substantially. The President has said repeatedly, time and time again, that he is prepared to end the bombing the moment the Communists are willing to give us assurances that they will not move these one-half million North Vietnamese troops into South Vietnam and use them against our soldiers.

Mr. Speaker, those who have been urging this bombing pause should consider the consequences of their counsel if we were to release those half million Communist troops who are now pinned down in North Vietnam. I am sure it does not take any expert to realize that our casualties would mount, and who is willing to take the responsibility of seeing more American boys killed in South Vietnam?

So I hope that those who are going to participate in these anti-Vietnam war demonstrations will be cognizant of the fact that they in fact are prolonging the war, and that they in fact are contributing to the breakdown of morale among our troops, and they are in fact playing right into the hands of the Communists.

PERMISSION FOR COMMITTEE ON BANKING AND CURRENCY TO SIT TODAY DURING GENERAL DEBATE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO FILE TWO REPORTS UNTIL MIDNIGHT FRIDAY, OCTOBER 20

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from North Carolina [Mr. FOUNTAIN], I ask unanimous consent that the Committee on Government Operations may have until midnight Friday, October 20, to file two reports adopted today on food and drug administration procedures for the selection of laboratory sites and the administration of research grants in public health service. This request has the approval of the ranking minority member of the Committee on Government Operations, the gentlewoman from New Jersey [Mrs. DWYER].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. PELLY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 322]

Abbitt	Fountain	Purcell
Ashley	Fuqua	Rarick
Bell	Gettys	Rees
Betts	Hagan	Rumsfeld
Blatnik	Hébert	Sandman
Boggs	Herlong	St. Onge
Bolton	Holland	Sisk
Brademas	Jonas	Stephens
Broomfield	Jones, Mo.	Teague, Tex.
Brown, Calif.	Jones, N.C.	Tenzer
Button	Kazen	Thompson, N.J.
Cederberg	Landrum	Tuck
Conyers	Latta	Tunney
Culver	Leggett	Utt
Dawson	McEwen	Watts
Diggs	Matsunaga	Williams, Miss.
Dwyer	Morgan	Willis
Eilberg	O'Hara, Mich.	Wright
Flynt	Patman	Wyatt
Ford, Gerald R.	Pryor	

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall, 374 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PUBLIC BROADCASTING ACT OF 1967—CONFERENCE REPORT

Mr. STAGGERS. Mr. Speaker, I call up the conference report on the bill (S. 1160) to amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities, by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting television and radio; and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 794)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1160) to amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities, by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting facilities; and to authorize a comprehensive study of instructional television and radio; and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That this Act may be cited as the 'Public Broadcasting Act of 1967'.

"TITLE I—CONSTRUCTION OF FACILITIES

"EXTENSION OF DURATION OF CONSTRUCTION GRANTS FOR EDUCATIONAL BROADCASTING

"SEC. 101. (a) Section 391 of the Communications Act of 1934 (47 U.S.C. 391) is amended by inserting after the first sentence the following new sentence: 'There are also authorized to be appropriated for carrying out the purposes of such section, $10,500,000 for the fiscal year ending June 30, 1968, $12,500,000 for the fiscal year ending June 30, 1969, and $15,000,000 for the fiscal year ending June 30, 1970.'

"(b) The last sentence of such section is amended by striking out 'July 1, 1968' and inserting in lieu thereof 'July 1, 1971'.

"MAXIMUM ON GRANTS IN ANY STATE

"SEC. 102. Effective with respect to grants made from appropriations for any fiscal year beginning after June 30, 1967, subsection (b) of section 392 of the Communications Act of 1934 (47 U.S.C. 392(b)) is amended to read as follows:

"'(b) The total of the grants made under this part from the appropriation for any fiscal year for the construction of noncommercial educational television broadcasting facilities and noncommercial educational radio broadcasting facilities in any State may not exceed 8½ per centum of such appropriation.'

"NONCOMMERCIAL EDUCATIONAL RADIO BROADCASTING FACILITIES

"SEC. 103. (a) Section 390 of the Communications Act of 1934 (47 U.S.C. 390) is amended by inserting 'noncommercial' before 'educational' and by inserting 'or radio' after 'television'.

"(b) Subsection (a) of section 392 of the Communications Act of 1934 (47 U.S.C. 392 (a)) is amended by—

"(1) inserting 'noncommercial' before 'educational' and by inserting 'or radio' after 'television' in so much thereof as precedes paragraph (1);

"(2) striking out clause (B) of such paragraph and inserting in lieu thereof '(B) in the case of a project for television facilities, the State noncommercial educational television agency or, in the case of a project for radio facilities, the State educational radio agency,';

"(3) inserting '(i) in the case of a project for television facilities,' after '(D)' and 'noncommercial' before 'educational' in paragraph (1)(D) and by inserting before the semicolon at the end of such paragraph ', or (ii) in the case of a project for radio facilities, a nonprofit foundation, corporation, or association which is organized primarily to engage in or encourage noncommercial educational radio broadcasting and is eligible to receive a license from the Federal Communications Commission; or meets the requirements of clause (1) and is also organized to engage in or encourage such radio broadcasting and is eligible for such a license for such a radio station';

"(4) striking out 'or' immediately preceding '(D)' in paragraph (1), and by striking out the semicolon at the end of such paragraph and inserting in lieu thereof the following: ', or (E) a municipality which owns and operates a broadcasting facility transmitting only noncommercial programs;';

"(5) striking out 'television' in paragraphs (2), (3), and (4) of such subsection;

"(6) striking out 'and' at the end of paragraph (3), striking out the period at the end of paragraph (4) and inserting in lieu thereof '; and', and inserting after paragraph (4) the following new paragraph:

"'(5) that, in the case of an application with respect to radio broadcasting facilities, there has been comprehensive planning for educational broadcasting facilities and services in the area the applicant proposes to serve and the applicant has participated in such planning, and the applicant will make the most efficient use of the frequency assignment.'

"(c) Subsection (c) of such section is amended by inserting '(1)' after '(c)' and 'noncommercial' before 'educational television broadcasting facilities', and by inserting at the end thereof the following new paragraph:

"'(2) In order to assure proper coordination of construction of noncommercial educational radio broadcasting facilities within each State which has established a State educational radio agency, each applicant for a grant under this section for a project for construction of such facilities in such State, other than such agency, shall notify such agency of each application for such a grant which is submitted by it to the Secretary, and the Secretary shall advise such agency with respect to the disposition of each such application.'

"(d) Subsection (d) of such section is amended by inserting 'noncommercial' before 'educational television' and inserting "or noncommercial educational radio broadcasting facilities, as the case may be,' after 'educational television broadcasting facilities' in clauses (2) and (3).

"(e) Subsection (f) of such section is amended by inserting 'or radio' after 'television' in the part thereof which precedes paragraph (1), by inserting 'noncommercial'

before 'educational television purposes' in paragraph (2) thereof, and by inserting 'or noncommercial educational radio purposes, as the case may be' after 'educational television purposes' in such paragraph (2).

"(f)(1) Paragraph (2) of section 394 of such Act (47 U.S.C. 394) is amended by inserting 'or educational radio broadcasting facilities' after 'educational television broadcasting facilities,' and by inserting 'or radio broadcasting, as the case may be' after 'necessary for television broadcasting'.

"(2) Paragraph (4) of such section is amended by striking out 'The term "State educational television agency" means' and inserting in lieu thereof 'The terms "State educational television agency" and "State educational radio agency" mean, with respect to television broadcasting and radio broadcasting, respectively,' and by striking out 'educational television' in clauses (A) and (C) and inserting in lieu thereof 'such broadcasting'.

"(g) Section 397 of such Act (47 U.S.C. 397) is amended by inserting 'or radio' after 'television' in clause (2).

"FEDERAL SHARE OF COST OF CONSTRUCTION

"SEC. 104. Subsection (e) of section 392 of the Communications Act of 1934 (47 U.S.C. 392(e)) is amended to read as follows:

"'(e) Upon approving any application under this section with respect to any project, the Secretary shall make a grant to the applicant in the amount determined by him, but not exceeding 75 per centum of the amount determined by the Secretary to be the reasonable and necessary cost of such project. The Secretary shall pay such amount from the sum available therefor, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine.'

"INCLUSION OF TERRITORIES

"SEC. 105. (a) Paragraph (1) of section 394 of the Communications Act of 1934 is amended by striking out 'and' and inserting a comma in lieu thereof, and by inserting before the period at the end thereof ', the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands'.

"(b) Paragraph (4) of such section is amended by inserting 'and, in the case of the Trust Territory of the Pacific Islands, means the High Commissioner thereof' before the period at the end thereof.

"INCLUSION OF COSTS OF PLANNING

"SEC. 106. Paragraph (2) of section 394 of the Communications Act of 1934 is further amended by inserting at the end thereof the following: 'In the case of apparatus the acquisition and installation of which is so included, such term also includes planning therefor.'

"TITLE II—ESTABLISHMENT OF NONPROFIT EDUCATIONAL BROADCASTING CORPORATION

"SEC. 201. Part IV of title III of the Communications Act of 1934 is further amended by—

"(1) inserting

"'SUBPART A—GRANTS FOR FACILITIES'

immediately above the heading of section 390;

"(2) striking out 'part' and inserting in lieu thereof 'subpart' in sections 390, 393, 395, and 396;

"(3) redesignating section 397 as section 398, and redesignating section 394 as section 397 and inserting it before such section 398, and inserting immediately above its heading the following:

"'SUBPART C—GENERAL'

"(4) redesignating section 396 as section 394 and inserting it immediately after section 393;

"(5) inserting after 'broadcasting' the first time it appears in clause (2) of the section of such part IV redesignated herein as section 398 ', or over the Corporation or any of its grantees or contractors, or over the charter or bylaws of the Corporation,'.

"(6) inserting in the section of such part IV herein redesignated as section 397 the following new paragraphs:

"'(6) The term "Corporation" means the Corporation authorized to be established by subpart B of this part.

"'(7) The term "noncommercial educational broadcast station" means a television or radio broadcast station, which (A) under the rules and regulations of the Federal Communications Commission in effect on the date of enactment of the Public Broadcasting Act of 1967, is eligible to be licensed or is licensed by the Commission as a noncommercial educational radio or television broadcast station and which is owned and operated by a public agency or nonprofit private foundation, corporation, or association or (B) is owned and operated by a municipality and which transmits only noncommercial programs for educational purposes.

"'(8) The term "interconnection" means the use of microwave equipment, boosters, translators, repeaters, communication space satellites, or other apparatus or equipment for the transmission and distribution of television or radio programs to noncommercial educational television or radio broadcast stations.

"'(9) The term "educational television or radio programs" means programs which are primarily designed for educational or cultural purposes.'

"(7) striking out the heading of such part IV and inserting in lieu thereof the following:

"'PART IV—GRANTS FOR NONCOMMERCIAL EDUCATIONAL BROADCASTING FACILITIES; CORPORATION FOR PUBLIC BROADCASTING'

"(8) inserting immediately after the section herein redesignated as section 398 the following:

"'EDITORIALIZING AND SUPPORT OF POLITICAL CANDIDATES PROHIBITED

"'SEC. 399. No noncommercial educational broadcasting station may engage in editorializing or may support or oppose any candidate for political office.'

"(9) inserting after section 395 the following new subpart:

"'SUBPART B—CORPORATION FOR PUBLIC BROADCASTING

"'*Congressional declaration of policy*

"'SEC. 396. (a) The Congress hereby finds and declares—

"'(1) that it is in the public interest to encourage the growth and development of noncommercial educational radio and television broadcasting, including the use of such media for instructional purposes;

"'(2) that expansion and development of noncommercial educational radio and television broadcasting and of diversity of its programing depend on freedom, imagination, and initiative on both the local and national levels;

"'(3) that the encouragement and support of noncommercial educational radio and television broadcasting, while matters of importance for private and local development, are also of appropriate and important concern to the Federal Government;

"'(4) that it furthers the general welfare to encourage noncommercial educational radio and television broadcast programing which will be responsive to the interests of people both in particular localities and throughout the United States, and which will constitute an expression of diversity and excellence;

"'(5) that it is necessary and appropriate for the Federal Government to complement, assist, and support a national policy that will most effectively make noncommercial educational radio and television service available to all the citizens of the United States;

"'(6) that a private corporation should be created to facilitate the development of educational radio and television broadcasting and to afford maximum protection to such broadcasting from extraneous interference and control.

"'*Corporation established*

"'(b) There is authorized to be established a nonprofit corporation, to be known as the "Corporation for Public Broadcasting," which will not be an agency or establishment of the United States Government. The Corporation shall be subject to the provisions of this section, and, to the extent consistent with this section, to the District of Columbia Nonprofit Corporation Act.

"'*Board of Directors*

"'(c)(1) The Corporation shall have a Board of Directors (hereinafter in this section referred to as the "Board"), consisting of fifteen members appointed by the President, by and with the advice and consent of the Senate. Not more than eight members of the Board may be members of the same political party.

"'(2) The members of the Board (A) shall be selected from among citizens of the United States (not regular fulltime employees of the United States) who are eminent in such fields as education, cultural and civic affairs, or the arts, including radio and television; (B) shall be selected so as to provide as nearly as practicable a broad representation of various regions of the country, various professions and occupations, and various kinds of talent and experience appropriate to the functions and responsibilities of the Corporation.

"'(3) The members of the initial Board of Directors shall serve as incorporators and shall take whatever actions are necessary to establish the Corporation under the District of Columbia Nonprofit Corporation Act.

"'(4) The term of office of each member of the Board shall be six years except that (A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and (B) the terms of office of members first taking office shall begin on the date of incorporation and shall expire, as designated at the time of their appointment, five at the end of two years, five at the end of four years, and five at the end of six years. No members shall be eligible to serve in excess of two consecutive terms of six years each. Notwithstanding the preceding provisions of this paragraph, a member whose term has expired may serve until his successor has qualified.

"'(5) Any vacancy in the Board shall not affect its power, put shall be filled in the maner in which the original appointments were made.

"'*Election of Chairman; compensation*

"'(d)(1) The President shall designate one of the members first appointed to the Board as Chairman; thereafter the members of the Board shall annually elect one of their number as Chairman. The members of the Board shall also elect one or more of them as a Vice Chairman or Vice Chairmen.

"'(2) The members of the Board shall not, by reason of such membership, be deemed to be employees of the United States. They shall, while attending meetings of the Board or while engaged in duties related to such meetings or in other activities of the Board pursuant to this subpart be entitled to receive compensation at the rate of $100 per day including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, equal to that authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

"'*Officers and employees*

"'(e)(1) The Corporation shall have a President, and such other officers as may be

named and appointed by the Board for terms and at rates of compensation fixed by the Board. No individual other than a citizen of the United States may be an officer of the Corporation. No officer of the Corporation, other than the Chairman and any Vice Chairman, may receive any salary or other compensation from any source other than the Corporation during the period of his employment by the Corporation. All officers shall serve at the pleasure of the Board.

"'(2) Except as provided in the second sentence of subsection (c)(1) of this section, no political test or qualification shall be used in selecting, appointing, promoting, or taking other personnel actions with respect to officers, agents, and employees of the Corporation.

"'Nonprofit and nonpolitical nature of the Corporation

"'(f)(1) The Corporation shall have no power to issue any shares of stock, or to declare or pay any dividends.

"'(2) No part of the income or assets of the Corporation shall inure to the benefit of any director, officer, employee, or any other individual except as salary or reasonable compensation for services.

"'(3) The Corporation may not contribute to or otherwise support any political party or candidate for elective public office.

"'Purposes and activities of the Corporation

"'(g)(1) In order to achieve the objectives and to carry out the purposes of this subpart, as set out in subsection (a), the Corporation is authorized to—

"'(A) facilitate the full development of educational broadcasting in which programs of high quality, obtained from diverse sources, will be made available to noncommercial educational television or radio broadcast stations, with strict adherence to objectivity and balance in all programs or series of programs of a controversial nature;

"'(B) assist in the establishment and development of one or more systems of interconnection to be used for the distribution of educational television or radio programs so that all noncommercial educational television or radio broadcast stations that wish to may broadcast the programs at times chosen by the stations;

"'(C) assist in the establishment and development of one or more systems of noncommercial educational television or radio broadcast stations throughout the United States;

"'(D) carry out its purposes and functions and engage in its activities in ways that will most effectively assure the maximum freedom of the noncommercial educational television or radio broadcast systems and local stations from interference with or control of program content or other activities.

"'(2) Included in the activities of the Corporation authorized for accomplishment of the purposes set forth in subsection (a) of this section, are, among others not specifically named—

"'(A) to obtain grants from and to make contracts with individuals and with private, State, and Federal agencies, organizations, and institutions;

"'(B) to contract with or make grants to program production entities, individuals, and selected noncommercial educational broadcast stations for the production of, and otherwise to procure, educational television or radio programs for national or regional distribution to noncommercial educational broadcast stations;

"'(C) to make payments to existing and new noncommercial educational broadcast stations to aid in financing local educational television or radio programing costs of such stations, particularly innovative approaches thereto, and other costs of operation of such stations;

"'(D) to establish and maintain a library and archives of noncommercial educational television or radio programs and related materials and develop public awareness of and disseminate information about noncommercial educational television or radio broadcasting by various means, including the publication of a journal;

"'(E) to arrange, by grant or contract with appropriate public or private agencies, organizations, or institutions, for interconnection facilities suitable for distribution and transmission of educational television or radio programs to noncommercial educational broadcast stations;

"'(F) to hire or accept the voluntary services of consultants, experts, advisory boards, and panels to aid the Corporation in carrying out the purposes of this section;

"'(G) to encourage the creation of new noncommercial educational broadcast stations in order to enhance such service on a local, State, regional, and national basis;

"'(H) conduct (directly or through grants or contracts) research, demonstrations, or training in matters related to noncommercial educational television or radio broadcasting.

"'(3) To carry out the foregoing purposes and engage in the foregoing activities, the Corporation shall have the usual powers conferred upon a nonprofit corporation by the District of Columbia Nonprofit Corporation Act, except that the Corporation may not own or operate any television or radio broadcast station, system, or network, community antenna television system, or interconnection or program production facility.

"'Authorization for free or reduced rate interconnection service

"'(h) Nothing in the Communications Act of 1934, as amended, or in any other provision of law shall be construed to prevent United States communications common carriers from rendering free or reduced rate communications interconnection services for noncommercial educational television or radio services, subject to such rules and regulations as the Federal Communications Commission may prescribe.

"'Report to Congress

"'(i) The Corporation shall submit an annual report for the preceding fiscal year ending June 30 to the President for transmittal to the Congress on or before the 31st day of December of each year. The report shall include a comprehensive and detailed report of the Corporation's operations, activities, financial condition, and accomplishments under this section and may include such recommendations as the Corporation deems appropriate.

"'Right to repeal, alter, or amend

"'(j) The right to repeal, alter, or amend this section at any time is expressly reserved.

"'Financing

"'(k)(1) There are authorized to be appropriated for expenses of the Corporation for the fiscal year ending June 30, 1968, the sum of $9,000,000, to remain available until expended.

"'(2) Notwithstanding the preceding provisions of this section, no grant or contract pursuant to this section may provide for payment from the appropriation for the fiscal year ending June 30, 1968, for any one project or to any one station of more than $250,000.

"'Records and audit

"'(l)(1)(A) The accounts of the Corporation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audits shall be conducted at the place or places where the accounts of the Corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the Corporation and necessary to facilitate the audits shall be made available to the person or persons conducting the audits; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents and custodians shall be afforded to such person or persons.

"'(B) The report of each such independent audit shall be included in the annual report required by subsection (i) of this section. The audit report shall set forth the scope of the audit and include such statements as are necessary to present fairly the Corporation's assets and liabilities, surplus or deficit, with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the Corporation's income and expenses during the year, and a statement of the sources and application of funds, together with the independent auditor's opinion of those statements.

"'(2)(A) The financial transactions of the Corporation for any fiscal year during which Federal funds are available to finance any portion of its operations may be audited by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. Any such audit shall be conducted at the place or places where accounts of the Corporation are normally kept. The representatives of the General Accounting Office shall have access to all books, accounts, records, reports, files, and all other papers, things, or property belonging to or in use by the Corporation pertaining to its financial transactions and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians. All such books, accounts, records, reports, files, papers and property of the Corporation shall remain in possession and custody of the Corporation.

"'(B) A report of each such audit shall be made by the Comptroller General to the Congress. The report to the Congress shall contain such comments and information as the Comptroller General may deem necessary to inform Congress of the financial operations and condition of the Corporation, together with such recommendations with respect thereto as he may deem advisable. The report shall also show specifically any program, expenditure, or other financial transaction or undertaking observed in the course of the audit, which, in the opinion of the Comptroller General, has been carried on or made without authority of law. A copy of each report shall be furnished to the President, to the Secretary, and to the Corporation at the time submitted to the Congress.

"'(3)(A) Each recipient of assistance by grant or contract, other than a fixed price contract awarded pursuant to competitive bidding procedures, under this section shall keep such records as may be reasonably necessary to fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"'(B) The Corporation or any of its duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under this section. The Comptroller General of the United States or any of his duly authorized representatives shall also have access thereto for such purpose during any fiscal year for which Federal funds are available to the Corporation.'

"TITLE III—STUDY OF EDUCATIONAL AND INSTRUCTIONAL BROADCASTING

"STUDY AUTHORIZED

"SEC. 301. The Secretary of Health, Education, and Welfare is authorized to conduct, directly or by contract, and in consultation with other interested Federal agencies, a comprehensive study of instructional television and radio (including broadcast, closed circuit, community antenna television, and instructional television fixed services and two-way communication of data links and computers) and their relationship to each other and to instructional materials such as videotapes, films, discs, computers, and other educational materials or devices, and such other aspects thereof as may be of assistance in determining whether and what Federal aid should be provided for instructional radio and television and the form that aid should take, and which may aid communities, institutions, or agencies in determining whether and to what extent such activities should be used.

"DURATION OF STUDY

"SEC. 302. The study authorized by this title shall be submitted to the President for transmittal to the Congress on or before June 30, 1969.

"APPROPRIATION

"SEC. 303. There are authorized to be appropriated for the study authorized by this title such sums, not exceeding $500,000, as may be necessary."

And the House agree to the same.

HARLEY O. STAGGERS,
TORBERT H. MACDONALD,
HORACE R. KORNEGAY,
WILLIAM L. SPRINGER,
JAMES T. BROYHILL,
Managers on the Part of the House.

WARREN G. MAGNUSON,
JOHN PASTORE,
MIKE MONRONEY,
HUGH SCOTT,
JAMES B. PEARSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1160) to amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities, by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting facilities; and to authorize a comprehensive study of instructional television and radio; and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment strikes out all of the Senate bill after the enacting clause and inserts a substitute. The Senate recedes from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment. The differences between the House amendment and the conference substitute are noted in the following outline, except for incidental changes made necessary by reason of agreements reached by the conferees and minor and clarifying changes.

EDITORIALIZING

The House amendment contains provisions which would prohibit any noncommercial educational broadcast station from engaging in editorializing or supporting or opposing any candidate for political office. The Senate bill contains no comparable provisions.

The managers on the part of the Senate accepted the House provisions when it was explained that the prohibition against editorializing was limited to providing that no noncommercial educational broadcast station may broadcast editorials representing the opinion of the management of such station. It should be emphasized that these provisions are not intended to preclude balanced, fair, and objective presentations of controversial issues by noncommercial educational broadcast stations.

These provisions are consistent with the requirements of section 396(g)(1)(A) of the Communications Act of 1934 (which would be added by the conference substitute) which require that programs or series of programs of a controversial nature which are made available by the Public Broadcasting Corporation must adhere strictly to objectivity and balance.

DEFINITION OF "EDUCATIONAL TELEVISION OR RADIO PROGRAMS"

The House amendment defines "educational television or radio programs" to mean "programs which are primarily designed for educational or cultural purposes and not primarily for amusement or entertainment purposes". The Senate bill contained no comparable provisions. The conference substitute includes a definition of the term which is the same as the House version but for the deletion of the words "and not primarily for amusement or entertainment purposes".

OBJECTIVITY AND BALANCE OF CORPORATION PROGRAMS

Under both the Senate bill and the House amendment the Public Broadcasting Corporation is authorized to "facilitate the full development of educational broadcasting in which programs of high quality, obtained from diverse sources, will be made available to noncommercial educational television and radio broadcast stations". The House amendment provides, in addition, that in the case of programs of a controversial nature there must be strict adherence to objectivity and balance. The conference substitute adopts these provisions of the House amendment with a modification so as to make the requirement more flexible. As so modified, each program in a series need not meet the test of objectivity and balance, but the series, when considered as a whole, must.

ARRANGEMENT BY CORPORATION FOR INTERCONNECTIONS

Under the Senate bill and the House amendment, the Public Broadcasting Corporation is authorized to "arrange, by grant or contract . . . for interconnection facilities suitable for distribution and transmission of educational television or radio programs to noncommercial educational broadcast stations". Under the House amendment, however, the Corporation could only make such arrangements with those appropriate private agencies, organizations, or institutions which were *nonprofit*. This would have required the Corporation to make arrangements for interconnection facilities through nonprofit intermediaries and would, consequently, have delayed and complicated the Corporation's operations. This requirement has been omitted in the conference substitute.

The managers on the part of the House feel that the Corporation needs this flexibility, not to establish a fixed-schedule network operation, but in order to take advantage of special or unusual opportunities that warrant the Corporation directly contracting for interconnection facilities. Even under these circumstances, however, it should be made clear that the decision to broadcast any program for which interconnection is provided by the Corporation remains entirely within the discretion of the local station. In addition, it should be pointed out that this change does not mean that others—such as a group of noncommercial educational broadcast stations or a noncommercial educational radio or television network—could not also arrange for interconnection and receive financial assistance for it in the form of a grant or contract from the Corporation. The conference substitute would permit this to be done.

Further, the conferees wish to make it clear that the limitation contained in proposed section 396(k)(2) of the Communications Act of 1934 should not and is not intended to apply with respect to interconnection costs.

SYSTEMS OF INTERCONNECTION

The House amendment provides the Public Broadcasting Corporation with authority to assist in the establishment and development of *a system* of interconnection to be used for the distribution of educational television or radio programs. The Senate version authorized the Corporation to assist in the establishment and development of *one or more systems* of interconnection for the same purpose. The conference substitute is the same in this respect as the Senate version.

DEFINITION OF "INTERCONNECTION"

Both the Senate bill and the House amendment contain definitions of the term "interconnection". The only difference in the two versions is that in the House amendment "airborne systems" were specifically included in the definition. The words "airborne systems" have been deleted from the definition in the conference substitute as unnecessary since "interconnection" is defined to include "other apparatus or equipment for the transmission and distribution of television or radio programs to noncommercial educational television or radio stations".

ADDITIONAL LIMITATION ON THE CORPORATION

Both the Senate bill and the House amendment prohibit the Public Broadcasting Corporation from owning or operating any television or radio broadcast station, system, or network, or interconnection or program production facility. In addition, the Senate bill prohibits the Corporation from owning or operating any community antenna television system. The conference substitute is the same in this respect as the Senate bill.

RECORDS AND AUDIT

The House amendment contains provisions requiring an annual audit of the accounts of the Public Broadcasting Corporation by independent certified or licensed public accountants; and, for any fiscal year during which Federal funds are available to finance any portion of the Corporation's operations provides that "the financial transactions of the Corporation shall be subject to an audit by the General Accounting Office". The Senate bill contains no provisions with respect to records and audit.

The conference substitute is the same as the House version with two minor changes in order to make it clear that for any fiscal year during which Federal funds are available to finance any portion of the Corporation's operations the General Accounting Office is authorized, but not required, to audit the financial transactions of the Corporation. Thus, the following language from the House report on H.R. 6736 (the House companion bill to S. 1160) is an apt description of the provisions of the conference substitute relating to records and audit:

"Provision for a GAO audit was not originally included in H.R. 6736 because it was felt that such audits carry with them the power of the Comptroller General to settle and adjust the books being examined and that this authority would be contrary to the desired insulation of the Corporation from Government control. The Committee is also sensitive to the importance of having the Corporation free from Government con-

trol. However, the bill does not provide authority for the settlement of accounts. The provision is similar to that included in the Government Corporation Control Act (31 U.S.C. 841) with the exception that the audits are not required to be performed annually. It is expected that the GAO audits will be performed at such times as believed necessary by the Comptroller General or Congress in order to supplement the audits of the independent public accountants.

"The audits are to be performed in accordance with the principles and procedures applicable to commercial corporate transactions and, in the case of GAO audits, under such rules and regulations as may be prescribed by the Comptroller General of the United States."

STUDY OF EDUCATIONAL AND INSTRUCTIONAL BROADCASTING

The House amendment authorizes a study of instructional television, including its relationship to educational television broadcasting and such other aspects thereof as may assist in determining *whether* Federal aid should be provided therefor and the form that such aid should take. Under the House version the study would be submitted to the President for transmission to the Congress on or before January 1, 1969.

The Senate bill authorizes a comprehensive study of instructional television *and radio* and their relationship to each other and to instructional materials, and to such other aspects thereof as may be of assistance in determining *what* Federal aid should be provided for instructional radio and television and the form that aid should take. Under the Senate bill the study would be submitted to the President for transmittal to the Congress on or before June 30, 1969.

Both versions authorize not to exceed $500,000 for the study.

The conference substitute is the same in this respect as the Senate bill, except that the study must also be addressed to the question of *whether* Federal aid should be provided for instructional radio and television.

HARLEY O. STAGGERS,
TORBERT H. MACDONALD,
HORACE R. KORNEGAY,
WILLIAM L. SPRINGER,
JAMES T. BROYHILL,
Managers on the Part of the House.

Mr. STAGGERS. Mr. Speaker, first, I would like to commend and to thank the Members who served on the conference committee, the distinguished gentleman from North Carolina [Mr. BROYHILL], the distinguished gentleman from Illinois [Mr. SPRINGER], the distinguished gentleman from Massachusetts [Mr. MACDONALD], and the distinguished gentleman from North Carolina [Mr. KORNEGAY], for their diligence and their cooperation in getting this conference report out and in working with the other body.

Mr. Speaker, it is my opinion that the House conferees did a very good and a very fine job, because of the 15 points that were in difference—the 15 points that the House was in difference with the other body—all but four of these were resolved in favor of the position of the House of Representatives. Of those four upon which we did not get full and complete support of the position of the House, we only receded in part from our stand in the House.

Therefore, we feel that we came out with a bill almost identical with the one that passed the House some time ago.

I should like, briefly, to go over some of the points in order to demonstrate to the Members of the House what did take place. However, I would like first to reiterate what I said on the floor when this legislation was up for debate, and that is this: I feel that perhaps this could be one of the most important bills to come out of the 90th Congress. It was stated in a letter from the National Association of State Universities and Land-Grant Colleges that his legislation had been compared in importance to the Morrill Act of 1862 with reference to its importance to education in the United States, I believe, and am of the firm opinion, that this legislation is that important or, perhaps, more so.

Mr. Speaker, I shall now outline the more important points that were in disagreement and on which we receded. I shall not take the time of the House to explain the others.

The version of the other body contains no definition with reference to the term "educational television or radio programs." The version of the House contained the following definition, "programs which are primarily designed for educational or cultural purposes and not primarily for amusement or entertainment purposes."

The other body was adamant on striking out our definition. However, we were able to retain the main part which we feel is the positive side of it and not the negative side of the question by retaining the language, "which are primarily designed for educational or cultural purposes." We acceded to the deletion of the words "and not primarily for amusement or entertainment purposes."

By so doing, the basic House definition was retained and, at the same time, dispel any feeling that educational programs may not be entertaining or entertainment programs, educational.

This is one of the first changes that was made in the House version.

The next was a clarification of our requirement that there be strict adherence to objectivity and balance in the presentation of controversial programs. The conferees agreed unanimously that this section requiring strict adherence to objectivity and balance on all programs of a controversial nature should be clarified so that such adherence should be with respect to a series of programs. In other words, we wanted to make clear that if a program comes up at one time and one side is presented that we could not indict it because of that one program where there were to be two programs, or a series of programs. Balance and objectivity might not be achieved in any one program of a series, but the overall series wherein opposing viewpoints were presented would and should be a balanced and objective presentation.

To distribute programs produced for educational broadcasting, the Senate version provided for the establishment and development of one or more systems of interconnections. The House version only provided for a system of interconnection. Because of concern that the House version might preclude the establishment and development of statewide and regional systems of interconnection, this ambiguity was eliminated, by the House accepting the Senate version of this provision.

Another important provision considered by the conferees concerned the ability of the corporation to deal directly with communications common carriers, such as A.T. & T., in order to make arrangements for interconnection facilities. Under the House version the corporation was not authorized to deal directly with such carriers but, instead, could only make interconnection arrangements through "nonprofit" intermediaries, who in turn would deal with the carriers. To provide the corporation with more interconnection flexibility, the House accepted the Senate version of this provision, which did not contain the word "nonprofit," thereby authorizing the corporation to deal directly with communications common carriers.

The last question of any contention involved changing the Senate word "what" to "whether." In title III the Senate had authorized a comprehensive study of instructional television and radio to help determine "what" Federal aid should be provided, and the form such aid should take.

The House version provided that such a study should be addressed to the question of "whether" Federal aid should be provided. This provision is now provided for in the conference substitute, which is otherwise the same as the Senate bill. In this connection "radio" is now included in the study authorized by title III.

Now, these are the only major changes that were made in the bill which passed this House on September 21. The conferees, and I as one of the conferees, feel we did a very good job on behalf of the House in bringing back almost the identical bill that it passed. We had 15 points in contention, and the House did not recede completely on any of them. The four points that we partially receded I believe helped to make it a better bill.

Mr. Speaker, I yield to the gentleman from Illinois [Mr. SPRINGER] whatever time he may consume.

The SPEAKER pro tempore (Mr. ALBERT). The gentleman from West Virginia has consumed 10 minutes.

Mr. SPRINGER. Mr. Speaker, I believe the chairman has done a good job in explaining most of the provisions. There were two important parts of the bill when it was on the floor of the House which the House insisted on being in the original bill, and on which we maintained our position in the conference. One in which we said that the management of any one station or anyone speaking for them could not editorialize, and second, the station could not support or oppose any candidate for public office.

In the Senate version there was no such provision of any kind. The Senate receded with a slight change in the language, but no difference in the real meaning of the provision in the bill so that the provision against editorializing

or supporting or opposing any candidate is retained.

The second change was the question on how this corporation board of directors was to be appointed. The House insisted—and this was a drastic change from the Senate version. The House version provided that no more than eight out of the 15-member board could be from one political party. We felt from the experience we had had with the various agencies in this town that it had worked well where an agency was made up of four of one party, and three of another, or five of one party and four of another, or six of one party and five of another. We felt this worked extremely well in that the minority kept constant check on the majority to insure that there was no corruption, or inefficiency.

So we did provide, and were able to retain, in the final conference report, that no more than eight of the fifteen members of the board shall be of one party.

I think the third one that you will probably want to know about is that in programs of a controversial nature there is a specific provision and many of you here in this body have talked with me about this provision. We tried to make it extremely clear, and I quote from the report:

> In addition to that, that in the case of programs of a controversial nature, there must be strict adherence to objectivity and balance.

We did have a difference with the Senate over interconnections. That is if these stations chose to hook up at certain times of the year, maybe a half dozen times I would guess, to present programs, how are you going to do this?

The Senate had a provision that did not make any difference between profit and nonprofit. In the House version we had nonprofit alone. We did change this to allow interconnection to be made in the discretion of the board as to whether or not it could be done through private enterprises or through nonprofit enterprise, feeling that if it were necessary they could go to nonprofit, but probably they would want to use the profit system as probably the most economical system that could be used for interconnection.

But we felt that it was best to leave to the board itself to determine which method they wanted to use.

The fourth provision that I think you will want to know about was that the House amendment provides the public corporation with authority to assist in the establishment and development of a system to be used for distribution of educational television or radio programs.

The Senate version authorized the corporation to assist in the establishment and development of one or more systems of interconnection.

On this question we adopted the Senate version and I believe there is good reason for that.

We did provide for a system of records and audits which were not provided for adequately, we felt, in the Senate version. I think finally we agreed on one important thing and that was to provide a study of instructional television including the relationship to educational television broadcasting and such other aspects thereof as may assist in determining how federal aid should be provided therefor. We provided $500,000 for this study.

We believe this will assist greatly in the portion of the spectrum having to do with educational and instructional television.

Those are in essence the changes that I think are of any substance. We agreed unanimously on those.

I would say on the number of changes that the House won approximately 70 percent and the Senate on 30 percent of the changes in the conference that resulted in the final version.

I recommend that the conference report be adopted.

Mr. STAGGERS. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. KORNEGAY] such time as he may require.

Mr. KORNEGAY. Mr. Speaker, I appreciate very much the chairman yielding to me.

I would like to commend the chairman of the committee and the minority leader of the committee, and those who have served on this conference committee, for what I see as a very fine job in bringing to the House a bill which was good when it left. In my opinion, it is even better now.

As has already been stated, we conceded slightly on only four of the 15 points which were in contention. This was a most amicable and productive conference.

I certainly rise in support of this bill and will say that in my opinion it is one of the finest pieces of legislation that has come from our committee in a good while.

Mr. STAGGERS. Mr. Speaker, I yield such time as he may require to the gentleman from North Carolina [Mr. BROYHILL].

Mr. BROYHILL of North Carolina. Mr. Speaker, I want to say that I consider this to have been a most productive conference. Although on some points the House conferees did recede, by and large we maintained the position of the House even on those points because we held up the intention of the House on what we had really wanted to do.

There was one point that I wanted to discuss briefly. We deleted one word, the word "nonprofit." Under the Senate bill the corporation would have been authorized to arrange by contract or by grant interconnecting facilities. They could then distribute programs to the various stations. Under the House bill the corporation would have been authorized to have made these contracts or grants only to nonprofit agencies.

The conferees felt there would be unusual occurrences or special occasions on which a program of nationwide interest should be distributed to those stations that wanted to carry such a program, and prohibiting the corporation from making these interconnection facilities themselves, and directly providing for those interconnection facilities would have been detrimental to the purposes of the act.

So the word "nonprofit" was deleted.

This action does not mean that the corporation is going to enter into any full-time networking arrangements. They will still be prohibited by the language in the bill from doing this. They will still not be able to do any broadcasting as such. They will only be taking advantage of this interconnection authority on special occasions whenever this may arise.

Also it is not only the intention of the managers, as is clear in the reports of both the House and the other body, but also as it is stated in the bill itself, where any interconnection is made, it will be within the discretion of the local stations to determine whether or not they want to receive or to carry a given program. That is one point I wished to emphasize.

I yield to the gentleman from Massachusetts [Mr. CONTE] who has been a very strong supporter of this legislation, and who has spoken not only to me but to other members of the committee on several occasions expressing his strong support of this public broadcasting section.

Mr. CONTE. I would like to take this opportunity to compliment Congressman STAGGERS, the ranking minority member, Mr. SPRINGER, my friend from North Carolina, Mr. BROYHILL, and the other members of the committee for the fine job they did in bringing this bill to the floor of the House. It was unfortunate that I was unavoidably detained on September 21 when the bill originally came up, because I have had a long interest in the Public Broadcasting Act of 1967. I think the committee did a remarkable job in conference and with the overall bill. I strongly support the measure and hope it will pass today.

Mr. STAGGERS. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER pro tempore. The Clerk will report the amendment to the title of the bill.

The Clerk read as follows:

> Amend the title so as to read: "An act to amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities, by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting facilities; and to authorize a comprehensive study of instructional television; and for other purposes."

MOTION OFFERED BY MR. STAGGERS OF WEST VIRGINIA

Mr. STAGGERS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

> Mr. STAGGERS moves that the House recede from its amendment to the title.

The motion was agreed to.

A motion to reconsider the votes by

which action was taken on the conference report on the motion to recede from the title amendment was laid on the table.

PERMISSION FOR COMMITTEE ON RULES TO HAVE UNTIL MIDNIGHT TO FILE PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight to file certain privileged reports.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

SAFETY OF CAPITOL BUILDINGS AND GROUNDS

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 944 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 944

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13178) to provide more effectively for the regulation of the use of, and for the preservation of safety and order within, the United States Capitol Buildings and the United States Capitol Grounds, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 13178, it shall be in order in the House to take from the Speaker's table the bill (S. 2310) and to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 13178 as passed by the House.

The SPEAKER pro tempore. The gentleman from Mississippi is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the customary 30 minutes to the minority to the very able and distinguished gentleman from Illinois [Mr. ANDERSON], pending which I yield myself such time as I may consume.

Mr. Speaker, this rule is an open rule, which provides for 1 hour of general debate and, of course, for amendment under the 5-minute rule. This bill, simply and briefly, is a bill that would augment the present laws dealing with the protection of the U.S. Capitol, its grounds, and its buildings. To be perfectly frank about this bill, it is brought about because of the fact that there is another one of the numerous marches upon Washington anticipated here within the next few days.

This bill, as I said, would supplement existing legislation which goes back 100 years or more, under which the grounds of the Capitol were protected, but not the buildings of the Capitol.

Under the old law the grounds but not the buildings were protected, and the violations are misdemeanors with nominal fines provided.

This bill would cover the buildings themselves and would take care of such instances as we have had in the recent past.

Some Members will recall that only a few years ago there was a group of misguided Puerto Ricans who entered this Capitol Building itself and up there in the corner of the gallery they arose and began a holocaust of shooting and a general disturbance here in the Capitol itself. A number of the Members were shot.

Only a few weeks ago another group forced themselves into the Capitol. They forced the guards up against the walls, entered the gallery itself, and created a great disturbance in the deliberations of the Nation's business.

Not too long ago there was another group—which, incidentally, I believe was from my State; something rather unusual—who came into this Capitol and sat down outside of a committee room and refused to budge. This was the misnamed Freedom Democratic Party of Mississippi, an extreme leftist group.

So this proposed legislation would protect the Capitol, its grounds and its buildings, and its Members, from these misguided people who are bent on obstructing if not, in fact, destroying this, the world's most democratic form of government.

Mr. Speaker, sometimes I am amazed to see what is going on, to pick up the papers each day, and to look at television, and see what is going on in this country in the subversive attacks upon this great haven of liberty, the United States of America and its institutions.

Now we are told that there will be possibly 250,000—I doubt if there will be anywhere near that number—who are going to march upon the Pentagon tomorrow or the next day. They are going to march upon this Capitol. They are going to protest, and they are going to protest violently about the war in Vietnam.

This is not a question of whether the war in Vietnam is a popular war, or even whether we should be there. The question is whether the institutions of this Government are to be attacked in any such manner.

We see these riots going on all over the country. People attack this institution which guarantees to them liberty and the pursuit of happiness—and, incidentally, now under the new concept, prosperity, because anyone who does not have better than $3,000 income is entitled to Government aid.

Yet they are never satisfied.

Sometimes I wonder if this is because we are too busy trying to appease these small minority groups. When I say "minority groups," Mr. Speaker, I do not have reference to the color of anybody's skin, either. I am talking about these groups who are continuously attacking our Government and its institutions.

Mr. Speaker, to illustrate: Here are a couple of, I do not know whether to call them circulars, brochures, or just leaflets, of propaganda. Some of this left-wing group saw fit to organize down in my State some few years ago a group known as the Freedom Democratic Party, whatever that is. They undertook to take over the government and they are still trying to take over the government of my State. I think anyone who is familiar with that situation is bound to be familiar with the fact that they are but a part of a nationwide conspiracy to bring about demoralization and the final overthrow of our Government.

Now, Mr. Speaker, I am not going to read all of this, but I just want to exhibit it to you here, to those who happen to be interested. Here is one. On the front page I draw your attention to this drawing with the instruction how to make a Molotov cocktail. I could do so, but I am not going to go into all of the details here as to what they propose to do.

Now I have to use the pigmentation of the skin, although I prefer not to, although this movement is not confined to Negroes. We have some ultra-left-wing white people who are also parties to it. They are advocating the accumulation of guns. They are advocating that for every Negro who happens to be killed that at least 10 white people be killed in retaliation. They are advocating that the election machinery and all the institutions of the State be taken over by this small, militant, misguided group. Incidentally, these are the same people I referred to a moment ago that came into this Capitol and sat down outside of a committee room in the hallway and refused to move. They stayed there, as I recall it, overnight.

Mr. Speaker, I say I am concerned not about the State of Mississippi alone, but I am concerned about all of the 50 States of this Union. I am concerned about how far we are going to permit this type of thing to go on.

How much appeasement is it going to take? How many billions of dollars must be fed out to them in order to bring about a cessation of their activities, if in fact, such can ever be done?

Mr. Speaker, I come back to the legislation. This is merely a bill that would increase the penalties, increase the jurisdiction of the authorities to prevent such things as I have just mentioned a moment ago, such as the shooting up of this Chamber by the Puerto Ricans and these other invasions.

Mr. Speaker, under the old law, what is the penalty now? A $10 fine. When these people moved into the gallery here just a few weeks ago, they were required to post a $10 bond. Then, of course, they never paid that. One of the great, good brothers, someone, whoever he is who finances these things, paid the bond or covered the forfeiture of such bond.

Mr. O'NEAL of Georgia. Mr. Speaker, will the distinguished chairman of the Committee on Rules yield?

Mr. COLMER. I am delighted to yield to the distinguished gentleman from Georgia.

Mr. O'NEAL of Georgia. Mr. Speaker, I

appreciate the distinguished chairman of the Committee on Rules yielding to me at this time because I have a question to propound to the gentleman.

I would like to know if the chairman of the Committee on Rules understands the provisions of this bill in the same manner in which I feel I understand them?

I am a little bit disturbed about the language which appears on page 4 of the bill itself, that language which appears in lines 15 and 16, wherein the proposed legislation, if adopted, would make it a violation to parade, demonstrate, or picket within any of the Capitol buildings.

Mr. COLMER. I am sorry but I did not get the gentleman's citation.

Mr. O'NEAL of Georgia. This language appears on page 4 of the bill, in lines 15 and 16.

Mr. COLMER. Yes.

Mr. O'NEAL of Georgia. My question is this: If this bill becomes law, would it be a violation of the law to picket on the Capitol Grounds?

Mr. COLMER. To picket?

Mr. O'NEAL of Georgia. To picket on the Capitol Grounds. There is stated language which appears on page 4 at line 16 of the bill as follows: "to parade, demonstrate, or picket within any of the Capitol buildings."

Mr. COLMER. Yes. Perhaps, I should yield to the distinguished author of the bill since the gentleman from Maryland has made a far more thorough study of the facts involved and the language contained herein.

Mr. FALLON. Mr. Speaker, in response to the interrogation of the gentleman from Georgia as propounded to the gentleman from Mississippi, "to parade, demonstrate, or picket within any of the Capitol buildings" is new language. However, to parade on the Capitol Grounds is now against the law.

We are merely adding this to the law. If this language is adopted it would prevent parades, demonstrations, or picketing within any of the Capitol buildings.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. COLMER. Of course, I yield to the gentleman from Florida.

Mr. CRAMER. On page 10 of the report, section 7 thereof, there is set out the following language:

> It 's forbidden to parade, stand, or move in processions or assemblages in said U.S. Capitol Grounds.

And so forth.

That is now the law. This makes the penalty apply to similar actions within the buildings themselves.

Mr. O'NEAL of Georgia. Mr. Speaker, if the gentleman from Mississippi will yield further, it probably would not hurt to add to the clarity of the section and the language which appears at page 4, line 16 of the bill, to say "or Capitol Grounds"?

Mr. COLMER. If I understand the answer of the gentleman from Maryland and the response of the gentleman from Florida [Mr. CRAMER] correctly, that would be surplusage.

Mr. O'NEAL of Georgia. Mr. Speaker, if the distinguished chairman will yield, I notice that the language in the existing law in section 7, as it appears on page 10 of the report, does not use the word "picket," but the new language in the bill does use the word "picket," but it simply refers to the buildings.

I just wondered if it would do violence to the bill—however, I now see they also use in the new language in the bill itself the word "demonstrate" for the first time. The word "parade" is in the existing law.

The words are "to parade, stand, or move in processions or assemblages." That is in the existing law, but the new law as proposed would add the words "demonstrate and picket," but would leave out the word "grounds," and I just wondered if anybody would have an objection to adding the word "grounds" to the new language.

Mr. COLMER. Mr. Speaker, I yield to the gentleman from Maryland for a further answer to that question.

Mr. FALLON. Mr. Speaker, I thank the gentleman for yielding.

In the present law it is forbidden to parade, stand, move in processions or assemblages, or to display flags, banners, or devices designed or adapted to bring into public notice any party, organization, or movement. So I do not see how one could picket with the language in the law the way it is at the present time, or demonstrate.

Mr. O'NEAL of Georgia. Mr. Speaker, will the gentleman yield further?

Mr. COLMER. I yield further.

Mr. O'NEAL of Georgia. I agree with the distinguished chairman of the Committee on Public Works, but it was just a little unusual to me that they would use these words for the first time, and still leave out another very specific and significant word with reference to the grounds.

Mr. COLMER. May I suggest, in response to the statement made by the gentleman from Georgia, that this is an open rule, and when the bill is read under the 5-minute rule he may seek to further clarify it.

Mr. O'NEAL of Georgia. I thank the gentleman for yielding.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. COLMER. Yes; I yield to the gentleman from New York.

Mr. RYAN. I am disturbed, Mr. Speaker, by the gentleman's reference to and broad-scale attack on the Freedom Democratic Party in Mississippi. I believe that this party was clearly formed because of the refusal of the white power structure in the State of Mississippi to permit Negro citizens to vote and participate in the democratic process; and I take exception to the suggestion of the distinguished gentleman that the Mississippi Freedom Democratic Party is bent upon a conspiracy to overthrow the Government of the United States.

I believe that that is not a warranted conclusion to be made on the floor of this House.

I might point out that, insofar as I know, the Federal jury in the Chaney, Goodman, and Schwerner case has not come in, but it has taken over 3 years to bring to trial the accused murderers of three courageous young people who were brutally murdered on June 21, 1964, in the State of Mississippi, and that State judicial system failed to indict anyone for murder——

Mr. COLMER. Mr. Speaker, I yielded to the gentleman from New York for a question, and I do not want him to take all of my time because I may want to make some comments on his comments.

Mr. RYAN. I appreciate the gentleman yielding, but I do believe that I should state my views for the RECORD on this matter.

Mr. COLMER. Will the gentleman yield to me?

Mr. RYAN. The gentleman has the floor.

Mr. COLMER. Will the gentleman reply to my question? I will ask the gentleman from New York whether the gentleman takes this kind of a position—and we do not take this kind of a position in Mississippi—if the gentleman believes in and subscribes to any group of people, the Freedom Democratic Party in Mississippi, or any other group in New York, or whatever designation he wants to give to them, putting out literature showing people how to make Molotov cocktails to kill people with?

Does the gentleman from New York believe in that?

Mr. RYAN. Surely the gentleman would not suggest that any Member of this House would condone violence or would condone any effort on the part of any person to attempt to manufacture any weapons of violence.

Mr. COLMER. Then I take it the gentleman does not approve of that?

Mr. RYAN. I do not know what the paper, which the gentleman holds, says, but I stand on my statement. That is not the issue.

The issue that I wanted to respond to is the gentleman's blanket indictment of the Mississippi Freedom Democratic Party.

Mr. COLMER. If the gentleman will permit, I indicted them for putting this literature out. The gentleman says he does not condone it.

Mr. RYAN. I do not concede that this organization put out the particular paper that the gentleman is holding in his hand.

Mr. COLMER. Let me just say this finally to the gentleman. The gentleman has been around this House now for about 4 or 5 years. It so happens, and I guess due to the fact that God and life have been good to me, that I have been around this House for 35 years. The House has witnessed the conduct of both of us, and I will leave it to the House to judge between our respective conduct and philosophy, and I do not yield further to the gentleman.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I think as the distinguished chairman of the Committee on Rules has already indicated in his remarks, in effect, the very fact that we have to bring to the floor of the House today a bill dealing with the safety of the

Capitol Building and the grounds that surround it—and incidentally, of course, the safety of the Members who work in those buildings—is a rather sad commentary on the fact that even here in the Nation's Capitol we seem to dwell in the very shadow of violence.

There were some 1-minute speeches that I listened to a few minutes ago referring to the fact that we may see a further manifestation of that directed not so much against the Congress apparently as against the Department of Defense and the Pentagon. But we may nevertheless see a further manifestation of that predisposition toward violence take place here in our Capitol on Saturday.

There was a day when men and women came to the Capitol to stand and to gaze in reverence and awe at the beauty of this building and at the Capitol dome; or to visit quietly with their Representatives in the office buildings and here on these grounds.

But if you have read the report, you will realize that one or two of the court of appeals cases that have led to this legislation involve the fact that there are those today who are not satisfied with the right to peaceably assemble and petition.

One of these cases involved some students who came to this very building not many feet from where I stand today and castigated the distinguished Speaker of the House and who were not satisfied with the fact that he courteously received them and listened to their petition, but they proceeded to make some impossible and preposterous demands which he had to reject and as a result they laid down upon the floor and began to kick and scream and carry on in a boisterous, disorderly, and disgraceful fashion.

It is because the Committee on Public Works felt that the general statutes of the District of Columbia and the 1946 act which deal with the Capitol Grounds are not sufficient to deal with incidents of this kind that they have brought this bill before the House today.

I think they should be commended, frankly, for undertaking this task because, of course, as they inform you in the report, the court of appeals itself, in one of those two cases, suggested to the Congress that a thoroughgoing review of these statutes is necessary because of the confusion that exists today in the law with reference to their enforcement.

The very fact that you can have the anomalous situation where for the crime of disorderly conduct, one can be punished by a fine of $250 or a jail sentence of up to 90 days, if it occurred anywhere else in the District or any other public building, but that one can commit disorderly conduct in the Capitol itself and be fined no more than $50 indicates very clearly, I think, the confusion of the present state of the law and the fact that some changes and amendments are necessary.

That is all, I think, this bill undertakes to do. It does it by making clear that the 1946 act relates not only to the Capitol Grounds but also to acts committed within the Capitol Building itself as well as other buildings located on the Capitol Grounds. It further goes on and spells out in section 6 of the act of 1946, as revised, that it is a felony for anyone to come upon the Capitol Grounds with firearms, explosives, or death-dealing weapons of any kind.

Then it makes a misdemeanor of another category of offenses and penalizes them as such. If people come, either to this Chamber, or to the committee rooms of the Capitol, or to the Rayburn Building, or to the Marble Room of the Senate, and so on, in an effort willfully to obstruct business or otherwise interfere with activities going on there they are guilty of committing a misdemeanor.

It should be pointed out that there are some minority views that are attached to the committee report. They reflect concern on the part of at least one Member of this body that the language used in the bill was not perhaps as artful as might be the case; that there is some vagueness, which, of course, is normally to be avoided in drawing penal statutes, the point is raised that in confiding to the Capitol Police Board, which is the body made up of the Architect of the Capitol, the Sergeant at Arms of this body and the Sergeant at Arms of the Senate, the authority to issue regulations to exempt Members of Congress or members of the armed services, the Secret Service or the FBI—people who might necessarily, either in the discharge of their duties have to come upon the Capitol Grounds or enter these buildings with side arms or firearms, we have introduced an unconstitutional element.

We had one Member of this body appear before the Rules Committee and confess some alarms that he might, unless exempted, be subject to penalties under this act merely for having an 18th century dueling pistol as part of a collection of weapons which he kept in his office. I suppose, in an effort to meet that situation, there is that provision in the bill that the Capitol Police Board can exempt from the application of this statute Members of Congress and others who might have a legitimate reason to come upon the grounds or to enter these buildings with firearms.

I, myself, think that perhaps the language of the statute itself might have better specifically set forth those specific exemptions from the law, rather than confiding that jurisdiction to a police board to issue regulations. Frankly, if an amendment is offered to that effect, I would very gladly support it. But I think on the whole the committee has performed a useful and a necessary service in bringing this bill to us today under an open rule where it can be discussed and, if need be, amended to further assure the safety of the Members of this House and the other body and to insure the maintenance of decorum and order in the Capitol Building.

I reserve the balance of my time.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. FALLON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13178) to provide more effectively for the regulation of the use of, and for the preservation of safety and order within, the U.S. Capitol Buildings and the U.S. Capitol Grounds, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Maryland.

The motion was agreed to.

IN COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13178, with Mr. STEED in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Maryland [Mr. FALLON] will be recognized for 30 minutes and the gentleman from Florida [Mr. CRAMER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. FALLON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I feel the gentleman from Illinois [Mr. ANDERSON] and the gentleman from Mississippi [Mr. COLMER] did a splendid job in explaining just exactly what effect this bill will have.

Mr. Chairman, H.R. 13178, which is before this body today, is needed legislation. Recent incidents within the Capitol Building itself and on the Capitol Grounds indicate quite clearly why this bill should be passed today. Visitors from all over the United States coming to the Nation's Capital every year as well as the Members and employees of the Congress are entitled to go about their pursuits without any undue disturbance from those who would attempt to disrupt the orderly business of the Nation's Capital by such actions as we have seen in recent weeks. The Committee on Public Works believes this legislation, which strengthens existing law regarding the use of and the safety and order within the Capitol Buildings and Grounds, will provide the proper vehicle to prevent future disturbances such as we have seen in the recent past. The legislation specifically would prohibit certain dangerous, disorderly, and disruptive conduct within the Capitol Buildings. It further, and necessarily so, increases the penalties for engaging in such dangerous and disorderly conduct.

The bill, in essence, would amend existing law in the following manner. It places in the category of a felony the carrying, discharge, or transportation of weapons and explosives on the Capitol Grounds or in the Capitol Buildings and knowingly and with force and violence entering and remaining upon the floor of either House of Congress. In the category of a misdemeanor would be a wide range of disruptive or disorderly conduct. The penalty for felonious activities would subject the perpetrator to a fine of not more than $5,000 or imprisonment for not more than 5 years, or both. The penalty for engaging in any of the other prohibited acts would be a fine of not

more than $500 or imprisonment for not more than 6 months, or both.

The responsibility for prosecuting the violations under H.R. 13178 would rest with the U.S. Attorney for the District of Columbia. He strongly supports the enactment of this legislation. In addition, several recent court decisions affecting these problems within the District of Columbia pointed out that the general statutes applying to disorderly conduct in the District did not apply to the Capitol Buildings or Grounds. It further brought to light the need for legislation such as this which is before us today.

Let me say further that the legislation specifically gives to the Capitol Police Board, which is composed of the Architect of the Capitol and the Sergeants at Arms of the House and Senate, the authority to issue such regulations as it deems necessary for the proper control of order within the Capitol Buildings and Grounds. The committee pointed out in its report in answer to several questions raised by Members during the hearings on the legislation that, and I quote directly from the report:

> The committee expects that the Capitol Police Board in the exercise of this regulatory authority will, to the extent appropriate, exempt Members of Congress from these provisions, as well as officers and members of the Armed Forces, National Guard, Secret Service, FBI, and other police officers engaged in the performance of their official duties.

This language in the report plus the record we are making here today indicate quite clearly what the committee and I believe the Congress will intend by the legislation. I am certain the Capitol Police Board will follow what we have written into the committee report.

Let me conclude by saying, as I said initially, H.R. 13178 is needed legislation. I strongly recommend its passage.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. FALLON. I am delighted to yield to the gentleman from Florida.

Mr. HALEY. As the gentleman is well aware, there are several Members of Congress who are collectors of guns, rifles, and so forth. If they were to keep these weapons in their offices or someplace on the Capitol Grounds, it is not the intent that they would be in violation of the law, is it?

Mr. FALLON. I believe the report and the legislative history we make today will show that the police board can exempt them from the prohibited acts of this law.

Mr. HALEY. It is not the intent of this legislation to prohibit that?

Mr. FALLON. It is not the intent to prohibit any Member from having a gun collection or making whatever use he may wish to make of them.

Mr. HALEY. I thank the gentleman.

Mr. CRAMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I believe this to be essential legislation. Some reasons for it have been discussed, such as the uncertainty at the present time as to under what statute those who are responsible for disorder on Capitol Hill would be prosecuted, what the fine would be, or who would do the prosecuting. This was very ably described by the gentleman from Virginia [Mr. POFF] in the CONGRESSIONAL RECORD for August 22, 1967, which explained in detail the need for this legislation.

The need for this legislation also is stated, and there is an invitation for Congress to act, in the case cited at the end of the report, the Smith case, as it appears on page 26. In that case the court stated:

> What we said in *Feely, supra*, applies here. These appellants were entitled to know with certainty the offense with which they were charged and the possible penalty threatened. Under the circumstances they were entitled to a definite reference to the law which they had allegedly violated. In view of the confusion apparent in the enforcement of these and related statutes we commend to executive and legislative authorities a review of this entire area of the law.

This is precisely what the legislation intends to accomplish.

Mr. Chairman, I have been in this Chamber at a time when up in one of the galleries a member of the Nazi Party handcuffed himself to one of the railings, after he threw a swastika in this House Chamber. It could have been a Molotov cocktail.

I was also in this Chamber when right out of the door to my left there appeared a complete stranger in a white sheet, spewing hatred, who came right here in the well of this House spewing his hatred. He was not a Member and not an employee, not entitled to be on the floor. He was obviously attempting to disrupt and obstruct the operation of this legislative body, which I personally believe to be the most important and effective legislative body in the entire world.

I understand also that fellow under that sheet was a member of the Nazi Party, and I have heard rumors that he was the one who shot George Lincoln Rockwell. It is a good thing he did not have shooting in mind the day he appeared on the House floor.

I also have in mind the Puerto Ricans, who were here in 1953 and who did actually shoot a number of Members—one of whom was our respected chairman, the gentleman from Maryland [Mr. FALLON].

I also have in mind those who sat in the gallery of the other body in recent days and tried to disrupt their business.

It is my opinion, it is essential that Congress act as it relates to Capitol Hill, just as much as I felt it essential for Congress to act as it related to the antiriot bill and violent civil disturbances throughout this Nation.

I am glad to see the bill here. It passed the Senate without any substantial disagreement or votes against it whatsoever. I believe it is time that we on Capitol Hill provide the necessary deterrent and do away with the loopholes which now exist in some instances and which no penalty other than a $10 forfeiture for those who are guilty of civil disturbance on Capitol Hill.

We should make certain that disorderly conduct within buildings is punished, and we should serve notice at this time to those "peaceniks" who are invading Washington, reportedly this weekend, that on Capitol Hill the Government's business as it relates to the legislative branch—and, yes, in all buildings, public buildings, as well—these buildings are off limits, and the business of governing the people of America must go on, and no one in the name of any objective will be permitted to stop that Government business.

I would like to say as an aside that I am deeply disappointed as well, that there is not on the lawbooks at the moment as a reception for those coming to Washington to demonstrate this weekend, H.R. 421, the antiriot bill, which I introduced and which passed this House by a vote of about 5 to 1, 349 to 70. I am sorry that so far it is bottled up in the Committee on the Judiciary of the other body. If that law were on the books, and if in fact civil disturbance results, then they would be subject to the necessary and stiff penalties of that bill. Unfortunately, there is no similar protection in the District of Columbia. I think it is a crying shame that that bill is not law at the present time. I sincerely hope and pray that there will be no violent civil disturbance this weekend, but I think on Capitol Hill we have a duty to pass this bill so as to serve notice that Capitol Hill is off limits.

I do not need to remind my colleagues of these disgraceful episodes. I might say no one more strongly supports than I do the constitutional right of American citizens to freedom of speech, to petition of Government, redress of grievances, to demonstrate peacefully in opposition to or in favor of Government actions. I support these, but I insist that there must be reasonable limitations on the manner in which these rights can be exercised. Individuals and groups must be afforded the freedom to express views but not in such a way as to obstruct or impede the orderly procedures of governing nearly 200 million Americans. We must have a balance between the interests of our citizens and our Government, protecting the Government on the one hand and the individual right to freedom of expression on the other hand.

This bill accomplishes that. It has been very carefully drafted. Our distinguished chairman has discussed basically what it attempts to accomplish. I want to debunk some of the bunk, if I can, that is being said, and possibly will be discussed in the markup of the bill in just a few moments. I would like to do so in advance. Here are some questions that have been raised.

Is prohibition of parading, demonstrating or picketing as provided in the bill unconstitutional? My answer is "No." Section 7 of the act approved July 1, 1946, already prohibits these activities on the Capitol Grounds. The constitutionality of section 7 of the act approved July 31, 1946, 40 U.S.C. 193g, was upheld by the District of Columbia Court of Appeals in the case of Dianne Feeley against District of Columbia decided on June 17, 1966. In that case, the court stated,

> The Capitol Grounds statute has for its obvious purposes the noninterference with the work of the legislature, the maintenance of free and undisturbed movement of tour-

ists and visitors into and around the seat of our nation's government, and the protection of the landscape. It is clear and nondiscriminatory on its face and prohibits any and all groups from parading or assembling in a certain defined area. As such, we feel it is a permissible exercise of congressional power.

This bill, H.R. 13178, simply extends this prohibition to Capitol buildings. Aside from the constitutionality of prohibiting these activities on the grounds, it seems such prohibition within the buildings where the legislative processes take place is clearly and unquestionably constitutional.

The second question is, Would the bill impede Members and staff members from carrying out their official duties? The answer is "No." Subsection (c), section 6 of the 1946 act, as it would be amended by H.R. 13178 expressly provides that "Nothing contained in this section shall forbid any act of any Member of the Congress, or any employee of a Member of Congress, any officer or employee of the Congress or any committee or subcommittee thereof, or any officer or employee of either House of the Congress or any committee or subcommittee thereof which is performed in the lawful discharge of his official duties." Also, this is pursuant to the rules of the House as it appears on page 8 of the report.

The next question is: Would H.R. 13178 prevent Members of Congress from transporting firearms to their offices, or retaining them there, whether for the purpose of display, protection, or sporting use?

Answer: No, possession or transportation of firearms is unlawful except as authorized by regulations which shall be promulgated by the Capitol Police Board. The House report on the bill—House Report No. 745—at page 7 expresses the intent that Members of Congress and others be exempted to an appropriate extent, from this provision.

Next we come to the question of whether delegation of authority to allow exemptions from prohibitions of criminal laws is invalid.

Answer: No, the general authority of the Congress to delegate authority is too well established to require citations. A few examples of precedents for the delegation of authority to allow exemptions from the prohibitions of criminal statutes will suffice:

Exemptions by Secretary of the Treasury against transportation of firearms or communication, in favor of banks, public carriers, and so forth—49 U.S.C. 1472, misdemeanor.

Exemption from hunting, fishing and trapping laws by Secretary of the Interior—18 U.S.C. 41 et seq., misdemeanor.

Exemptions by Postmaster General from prohibition against mailing firearms—18 U.S.C. 1715, felony.

Exemption by Commissioner of Narcotics on importation of narcotic drugs and coca laws—21 U.S.C. 173, felony.

The next question is, Could congressional staff members and visitors to the Capitol innocently subject themselves to a criminal prosecution, without intent to violate the rules, or disrupt the Congress or its deliberations?

Answer: No, it has been said that reasonable discretion by the prosecutors will solve this problem. I believe this is a partial solution. But a more acceptable solution is the adoption of workable and meaningful rules by the two Houses of the Congress. It is on the assumption that such rules will be adopted that I favor this bill.

Mr. Chairman, it is clear in my opinion that legislative action is needed, and needed soon, in order to control disruptive activities on the Capitol Grounds. It is my opinion that H.R. 13178 meets this clear need. Therefore, Mr. Chairman, I cosponsored and shall vote for the bill, and urge my colleagues to do likewise.

Mr. FALLON. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. I thank the distinguished chairman for yielding to me this time.

Mr. Chairman, there is much in H.R. 13178 that is reasonable and implicit in the right of the Congress to take necessary steps to enable it to carry out its constitutional function. Nevertheless, I must rise to urge that it be recommitted to the Committee on Public Works so that an issue of vital importance which this committee has failed to deal with can be afforded the airing it is entitled to.

We are told by the committee that it has given full recognition to the need to provide every legitimate opportunity for the public expression of dissenting views in a reasonable and proper fashion while giving equal attention to the need to provide and maintain necessary safeguards for protecting the conduct of public business in the Federal Legislature.

The committee has assured us that it has sought to accommodate both of these values. It is my strong conviction that the bill, as reported out by the committee and which is before the House, has failed to accommodate these values, to the detriment of the basic right of the people to assemble peaceably and petition their government.

Under existing law, the people are flatly banned from any demonstrations on the Capitol Grounds, however peaceful, however dignified those demonstrations may be. This ban was enacted in 1946 as section 7 of the Capitol Buildings and Grounds Act (40 U.S.C. 193(g)). It presently provides:

> It is forbidden to *parade, stand,* or *move in processions* or *assemblages* in said United States Capitol Grounds, or to display therein any flag, banner, or device designed or adapted to bring into public notice any party, organization, or movement, except as hereinafter provided in sections 11 and 12 of this Act. (Emphasis added.)

The enactment of H.R. 13178 as before us today would leave intact this unconstitutional and unconscionable restriction.

The committee's failure to act to repeal section 193(g) is the most convincing demonstration that it has not given full recognition to the need to provide every legitimate opportunity for the public expression of dissenting views in a reasonable and proper fashion.

The 1946 Congress acted unwisely, in my opinion, when it enacted section 193 (g). Yet it can be said for that Congress, in mitigation, if not in excuse, that it did not have the benefit of the declaration of the U.S. Supreme Court in *Edwards* v. *South Carolina,* 372 U.S. 220 (1963).

In that case, the Court recognized that a peaceful demonstration on the grounds of the South Carolina Statehouse was protected by the first amendment. Speaking for an almost unanimous court, Justice Stewart said:

> The circumstances in this case reflect an exercise of these basic constitutional rights in their most pristine and classic form. The petitioners felt aggrieved by laws of South Carolina. . . . They peaceably assembled at the site of the State Government and there peaceably expressed their grievances "to the citizens of South Carolina, along with the Legislative Bodies of South Carolina."

It appears clear to me that the thrust of this holding applies with equal force to a petition to the U.S. Congress. The committee tells us in its report that it exercised great caution and gave careful attention to the need for legislative constraint in this matter. It admirably declares:

> The nature of the legislative process, and the problems which now confront us as a Nation, are such that people with strong feelings must be assured of the rights of freedom of expression and of assembly and the right to petition their Government, but under no circumstances should the guarantee of these rights be extended to a license for a minority to delay, impede, or otherwise disrupt the orderly processes of the legislature which represents all Americans.

I agree that the Congress of the United States must not have its work interfered with or unduly disturbed. I agree that it can prohibit any dangerous, disorderly, or disruptive conduct. Therefore, Congress can and should prohibit demonstrations within the Capitol Buildings themselves, but that does not mean that Congress has the right to prohibit peaceful demonstrations on the Capitol Grounds. Even if picketers or demonstrators carry signs urging Congressmen and Senators how to vote on particular measures, this is no more than the right they now have by mail or personal visits.

I can only assume that the committee, in its failure to repeal section 193 (g), proceeded on the tourtured and dangerous presumption that any and all demonstrations on the Capitol Grounds would delay, impede, or otherwise disrupt the orderly processes of the legislature.

I recognize that a demonstration, however peaceful and however orderly its participants intend it to be, might indeed cause some inconvenience to the Capitol Police, might require the police to place more men on duty. Nevertheless, to continue this flat prohibition on this ground is to diminish the cherished first amendment right to the stature of a nuisance.

I do not say that a narrowly drawn regulatory statute evincing a judgment that certain specific conduct on the Capitol Grounds be regulated is not permissible. We could reasonably limit the periods during which the Capitol Grounds are open to the public, and place controls or where demonstrators could

march, so they would not unduly burden traffic or block access or egress to and from the Capitol. However, such regulation is a far cry from the present flat ban on demonstrators or picketing. As the Washington Post put it so eloquently in its editorial on October 17:

> Demonstrators must be peaceable to come under the First Amendment's protection. But they ought not to be discouraged or frustrated out of a fear that they will become disorderly. Only a clear and present danger of disorder can justify repression of the right to assembly and petition. That right, indeed, ought to be jealously guarded by Americans, for it constitutes one of the keys to national security. It is time enough to repress protest when it actually threatens public safety. Until then, it is an asset, not a liability.

Mr. Chairman, I urge that the bill be recommitted to the Committee on Public Works, and in the event the motion fails, I would urge a "no" vote on final passage.

Mr. CRAMER. Mr. Chairman, I yield myself 30 seconds so that I may answer the gentleman because I do not want his statement to be unanswered when it has nothing to do with the bill before us.

He is talking about the law that is presently in existence. This bill does not change the law that is presently in existence, which relates to the Capitol Grounds. This bill sets rules that relate to the Capitol buildings. So we are leaving the law basically as it is insofar as it relates to the grounds. His argument has no place in the discussion of this bill relating to the Capitol buildings. That is the typical red herring that is constantly dragged in with relation to the antiriot bill and other matters, and has no place in the discussion of this legislation.

Mr. FALLON. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. WALDIE].

Mr. WALDIE. Mr. Chairman, I rise with some trepidation as a junior majority member of the committee. I am the only one who expressed a dissenting view to the particular bill before us. I do so not because I disagree with the objectives of the bill because I happen to concur wholeheartedly with the objectives of the bill. I disagree primarily because I believe the bill is aimed at one weekend—the weekend coming up—whereas the bill will be on the statute books from here on.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. WALDIE. I yield to the distinguished Speaker of the House.

Mr. McCORMACK. I was hoping that no one would make that statement. But since the gentleman has made that statement, I want to assure him that this bill and the history behind this bill have no connection with the statement that the gentleman just made.

This bill was filed in the other body by the majority and minority leaders some few weeks ago. I can assure the gentleman that the introduction of this bill, and the reporting of the the bill by the committee, and the consideration of the bill in the House today is not because of any proposed or possible plans of certain groups or individuals in relation to next Saturday. I am sure the gentleman will accept my word for that.

Mr. WALDIE. Yes, Mr. Speaker, I do accept it.

Mr. McCORMACK. It might be just a coincidence, but there is no intention with respect to that nor is there any relationship to that.

This bill was introduced and it passed the other body and was reported out of our committee. A rule was obtained for its consideration and it is on the legislative program at this time for consideration—but not because of any plans of any group of groups in connection with the coming weekend.

Mr. WALDIE. I thank the distinguished Speaker. I accept his assurances completely and I apologize if I have misconstrued the facts, as I apparently have done.

Nevertheless, my objections to the bill have nothing to do with the objectives because I think the objectives of the bill are proper.

My objections to the bill stem from the fact that I think it is poorly drafted, and if I may point out some ambiguities, I think perhaps my objections to the bill might be better understood.

First, let me point out, as I understood the gentleman from Florida [Mr. CRAMER] to state earlier, that a refutation can be made to the assertion of any objections by stating they will be clarified when the regulations are adopted.

It probably can be stated with some certainty with reference to any objection that I make to this bill that the reply can be made, "Well that objection will be cleared up when regulations are adopted." But I do not know what those regulations are today and I will not have any part in the formulation of those regulations nor will the people I represent have any part in the formulation of those regulations.

All that I can pass on today is what is now in the provisions of this bill. There are these ambiguities that I want to point out that are in this bill that is before us today.

When we create acts that constitute a felony, we do not require a person who commits that felony to have knowledge that he is committing a felony or a crime. Whereas strangely enough, when the person commits a misdemeanor, we do require that the person should have knowledge.

I call your attention to line 7 on page 2 where in the introduction to the felony section, it says:

> It shall be unlawful for any person or group of persons—

Then it defines the acts.

When we are dealing with misdemeanors, however, it says:

> It shall be unlawful for any person or group of persons willfully and knowingly—

It seems to me if we are going to qualify their conduct in committing a misdemeanor as being willful and with knowledge, then their conduct in committing a felony should equally be so qualified, that is, that it should be done willfully and with knowledge.

Further, if you consider the section dealing only with felonies, as this bill is written—putting aside for the moment the adoption of any future regulations—if a Member of the Congress or his staff or a guest in Washington, D.C., believes because of conditions that he has been led to believe do here exist, and in my view perhaps their understanding may be incorrect—but if they believe that for their self protection it is desirable to carry a weapon, then they have committed a felony if they carry that weapon on Capitol Grounds.

If a constituent of mine from Contra Costa County, Calif., visits Washington in a camper—and many of them do—and he has the right for his protection to carry a weapon in that camper as he travels across the country—if that person parks his camper on the Capitol Grounds, he has committed a felony. He has not intended to do anything wrong but under the very wording and language of this bill, he has committed a felony, by mere possession of his rifle or gun. At a later date I shall offer an amendment in an attempt to correct that discrepancy.

Further on in the misdemeanor sections, if a man enters the floor of the House with force and violence, he still has to do it with knowledge. Line 24 states: "knowingly, with force and violence, to enter or to remain upon the floor of either House of the Congress." That seems to me to be absurd to require that he have knowledge when he enters the House with force and violence that he is doing so, and yet if he just enters the Rayburn Room, if he and his family are passing by the Rayburn Room, there is no door on that room, and there is no guard at that room; it is an inviting room. If they walk in that room and sit down to rest, they have knowingly entered that room. They have willfully entered that room, and they have committed a misdemeanor.

I know the argument can be answered, as the gentleman from Florida did, that there are two protections for this unfortunate family: First, there would be no prosecution, obviously, resulting from that act. I know there would not. But the mere fact that they are subjected to the indignity of having committed a misdemeanor and the insulting determination that no prosecution will result seems to me indicates that the bill is poorly drafted.

The second protection to this family stems from the argument that we can draft regulations which would prevent this from occurring to these people. But we should not be required to depend upon this independent body that is going to draft these regulations.

Finally, Mr. Chairman, I would add just one phrase on page 3, line 4, after the misdemeanor recitation:

> It shall be unlawful for any person or group of persons willfully and knowingly with intent to impede, disrupt, or disturb the orderly conduct of official business.

Then if they are entering these places with that intent, they have committed a misdemeanor and should be arrested.

We have provided that qualification in two of the seven proscribed acts. We say that if he enters a committee room "willfully and knowingly" he can be arrested only if he entered that room "with intent to impede or obstruct the

business of the Congress." If he enters the gallery as our guests do up here, if there is no man on the door and they enter the gallery, even when the Congress is not in session, you do not have to prove that they entered that gallery with intent to impede, obstruct, or disturb the Congress. They have committed a misdemeanor.

Mr. CRAMER. Mr. Chairman, I yield 5 minutes to the gentleman from Nebraska [Mr. DENNEY].

Mr. DENNEY. Mr. Chairman, I thank the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, will the gentleman yield to me?

Mr. DENNEY. I yield to the gentleman from Florida.

Mr. CRAMER. I think the gentleman from California ought to be answered and this is the time to do it. Therefore, I have asked the gentleman from Nebraska to yield to me for a moment.

I understand the gentleman from California has raised the question of whether we should have the act require an intent to impede or disrupt as an element of the crime relating to the House floor and the House gallery.

Specifically, in committee we added the word—and it was on my recommendation—"knowingly," and already contained in the bill was the word "willfully."

Let us see what definition the legal dictionaries give to the word "willfully." "Willfully" is defined in case after case. One case states that the word "willfully" means not merely voluntarily but with a bad purpose. "Willfully" means with a bad purpose.

Further, it is defined time and again as to require the element of evil intent.

Here are a few of the cases. There is *State* v. *Bowers*, 228 N.W. 164, 165; 178 Minn. 589, a Minnesota case, in which it is stated:

"Willfully" means with an evil intent or a bad purpose.

Here is another one, a Wisconsin case, *Humbird* v. *Fristad* (Wis.) 242 N.W. 158, 161: "'Willfully' involves evil intent."

Here is one in Wisconsin: In criminal law, "willful" involves evil intent or malice. There is case after case. In *People* v. *Jewell*, 101 N.W. 835, 836; 138 Mich. 620 in Michigan:

The term "willful" implies evil intent without justifiable excuse.

That completely answers the gentleman in his concern relating to a person innocently coming into the House Chamber or into the gallery. There has to be an evil intent in order for a violation to be committed. I think that completely answers the gentleman's objections.

Mr. WALDIE. Mr. Chairman, will the gentleman yield for a reply?

Mr. DENNEY. I yield to the gentleman from California.

Mr. WALDIE. Mr. Chairman, may I ask the author of the bill, the gentleman from Florida, if that be so, why in the actions proscribed under sections 3 and 4 of the same subsection (b) to which we have made reference, is the qualification "with intent to disrupt the orderly conduct of official business"?

Mr. CRAMER. That is a good question, and there is a simple answer. I think the rule ought to be more strict under paragraphs (1) and (2), relating to the House floor, where we carry on our business, and where no one but Members and staff members are permitted. There should be a stricter rule as it relates to the floor than to the places listed under (3) and (4) and (5) and (6).

Mr. WALDIE. Further, is the gentleman suggesting the addition on line 4 of the wording "with intent to impede or disrupt orderly business" and not striking the word "willfully" lessens the impact and makes it less strict?

Mr. CRAMER. It makes it much less strict. It makes it less strict on the floor of the House, where the law should be more strict. The amendment of the gentleman, in my opinion, guts this section.

Mr. WALDIE. My amendment to add the words "with intent to disrupt or disturb the orderly conduct of business" guts the section?

Mr. CRAMER. Yes. That is my opinion. The gentleman asked me the question, and I have given the gentleman my answer.

May I add, to reply further to the gentleman, one reason is that under the proposed amendment there has to be proof of those specific elements, which is not necessary as it is presently worded.

Mr. WALDIE. With the use of the word "willfully" why would we have to prove evil intent and have to prove specific elements of intent?

Mr. CRAMER. We could carry this on indefinitely.

Mr. WALDIE. I am willing to do so.

Mr. CRAMER. The actions, if we adopt the gentleman's amendment, would be applied to disrupting and disorderly conduct.

Mr. WALDIE. Or to the actions which the gentleman is proscribing.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FALLON. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, I am concerned about several aspects of this bill. The gentleman from California [Mr. WALDIE] has raised a number of very significant questions concerning the draftsmanship. He has questioned the loose language of the bill and whether or not this bill would stand up constitutionally on the point of vagueness or inconsistency. I think his discussion was enlightening, and also I feel his minority views as contained in the report are helpful in considering this legislation.

Beyond the question of the draftsmanship of this bill, however, I would suggest that there is another aspect, and that is the civil liberties question, the question of infringement on the Bill of Rights' guarantees.

This bill continues a dangerous trend toward the erosion of the rights peaceably to assemble and to petition for a redress of grievances which are guaranteed in the Bill of Rights, and which are subject, at this time of intense national emotion and concern over the war in Vietnam, to the temptation to restrict them. We should resist this temptation wherever we see its shadow.

I would point out that the Washington Post in an editorial of October 17 stressed the issue of the right of peaceful assembly. The Washington Post also expressed regret over recent administrative regulations restricting the right of peaceful assembly in the area of the White House.

This raises the question, to what extent will the effect of this proposed legislation, in conjunction with the basic act which it amends limit the visibility of dissent in this country?

The gentleman from California [Mr. EDWARDS] pointed out that since 1946, when section 7 of the act of July 31, 1946, was enacted, the Supreme Court, in 372 U.S. 229, Edwards et al. against South Carolina, has struck down South Carolina convictions for demonstrating on the capitol grounds at the State capitol of South Carolina.

These questions are pertinent this afternoon. The present statute seems defective on first amendment grounds, and the committee might have seen fit to amend section 7 of the present law.

No one questions the need to protect both Houses of Congress from those who would willfully disrupt their performance of legislative functions. But I am concerned, first by a vaguely drafted piece of legislation, especially when it relates to first amendment guarantees and provides criminal penalties. Secondly, I view this as one more step in a series of bills brought before this House which will slowly compromise basic free speech guarantees. This tendency is a byproduct of the war which is increasingly being questioned by the American people, and the temptation to suppress dissent must be resisted.

Let us look at this legislation in the context of the national climate today.

Mr. BINGHAM. Mr. Chairman, I rise in opposition to H.R. 13178, which, while purporting to provide for the safety of the buildings and grounds of the Capitol, will in practice interfere with the freedoms of many Americans who visit the Capitol to either sightsee or to present their grievances to the Congress.

I am well aware of the need to insure that Congress—both in its committee rooms and on the floor of the House and Senate—be able to carry out all its duties without fear of violence or any other kind of disruption which would interfere with the orderly conduct of its business.

On the other hand, I am deeply concerned about the broad scope, vague language, and possible interference with first amendment rights of the bill before us today. It was so hastily conceived and reported out of committee that no official views of the Justice Department or the District government were available. Moreover, there seems to be no disposition on the part of the bill's supporters to accept clarifying amendments such as those offered by the gentleman from California [Mr. WALDIE] which would remedy some of the most glaring defects, such as the lack of specific intent in the felony provisions.

Finally, I am most concerned about the general frame of mind and attitude of Congress reflected in such legislation. We have many, many thousands of quiet,

orderly, visitors in the Capitol each year. We have a small number who, sometimes with an excess of zeal are passionately concerned about presenting their grievances to their constitutional representatives. Are we to overreact to the newspaper headlines occasioned by the latter few by passing legislation which flatly prohibits all demonstrations and which may, by its broadly restrictive terms, limit the rights of those wishing to make their case to Congress? This seems to be a case of using a shotgun to eliminate a gnat.

Mr. CRAMER. Mr. Chairman, I have no further requests for time.

Mr. FALLON. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 13178

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first section of the Act entitled "An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes", approved July 31, 1946 (60 Stat. 718; 40 U.S.C. 193a; D.C. Code 9–118), is amended by—

(1) inserting therein, immediately after the words "book 127, page 8,", the words "including all additions added thereto by law subsequent to June 25, 1946,"; and

(2) striking out the words "as defined on the aforementioned map".

(b) Section 6 of that Act (40 U.S.C. 193f; D.C. Code 9–123) is amended to read as follows:

"SEC. 6. (a) It shall be unlawful for any person or group of persons—

"(1) Except as authorized by regulations which shall be promulgated by the Capitol Police Board:

"(A) to carry on or have readily accessible to the person of any individual upon the United States Capitol Grounds or within any of the Capitol Buildings any firearm, dangerous weapon, explosive, or incendiary device; or

"(B) to discharge any firearm or explosive, to use any dangerous weapon, or to ignite any incendiary device, upon the United States Capitol Grounds or within any of the Capitol Buildings; or

"(C) to transport by any means upon the United States Capitol Grounds or within any of the Capitol Buildings any explosive or incendiary device; or

"(2) Knowingly, with force and violence, to enter or to remain upon the floor of either House of the Congress.

"(b) It shall be unlawful for any person or group of persons willfully—

"(1) to enter or to remain upon the floor of either House of the Congress, to enter or to remain in any cloakroom or lobby adjacent to such floor, or to enter or to remain in the Rayburn Room of the House or the Marble Room of the Senate, unless such person is authorized, pursuant to rules adopted by that House or pursuant to authorization given by that House, to enter or to remain upon such floor or in such cloakroom, lobby, or room;

"(2) to enter or to remain in the gallery of either House of the Congress in violation of rules governing admission to such gallery adopted by that House or pursuant to authorization given by that House;

"(3) to enter or to remain in any room within any of the Capitol Buildings set aside or designated for the use of either House of the Congress or any Member, committee, subcommittee, officer, or employee of the Congress or either House thereof with intent to disrupt the orderly conduct of official business;

"(4) to utter loud, threatening, or abusive language, or to engage in any disorderly or disruptive conduct, at any place upon the United States Capitol Grounds or within any of the Capitol Buildings with intent to impede, disrupt, or disturb the orderly conduct of any session of the Congress or either House thereof, or the orderly conduct within any such building of any hearing before, or any deliberations of, any committee or subcommittee of the Congress or either House thereof;

"(5) to obstruct, or to impede passage through or within, the United States Capitol Grounds or any of the Capitol Buildings; or

"(6) to engage in any act of physical violence upon the United States Capitol Grounds or within any of the Capitol Buildings; or

"(7) to parade, demonstrate, or picket within any of the Capitol Buildings."

"(c) Nothing contained in this section shall forbid any act of any Member of the Congress, or any employee of a Member of the Congress, any officer or employee of the Congress or any committee or subcommittee thereof, or any officer or employee of either House of the Congress or any committee or subcommittee thereof, which is performed in the lawful discharge of his official duties."

(c) Section 8 of that Act (40 U.S.C. 193h; D.C. Code 9–125) is amended to read as follows:

"SEC. 8. (a) Any violation of section 6(a) of this Act, and any attempt to commit any such violation, shall be a felony punishable by a fine not exceeding $5,000, or imprisonment not exceeding five years, or both.

"(b) Any violation of section 2, 3, 4, 5, 6(b), or (7) of this Act, and any attempt to commit any such violation, shall be a misdemeanor punishable by a fine not exceeding $500, or imprisonment not exceeding six months, or both.

"(c) Violations of this Act, including attempts or conspiracies to commit such violations, shall be prosecuted by the United States attorney or his assistants in the name of the United States. None of the general laws of the United States and none of the laws of the District of Columbia shall be superseded by any provision of this Act. Where the conduct violating this Act also violates the general laws of the United States or the laws of the District of Columbia, both violations may be joined in a single prosecution. Prosecution for any violation of section 6(a) or for conduct which constitutes a felony under the general laws of the United States or the laws of the District of Columbia shall be in the United States District Court for the District of Columbia. All other prosecutions for violations of this Act shall be in the District of Columbia Court of General Sessions. Whenever any person is convicted of a violation of this Act and of the general laws of the United States or the laws of the District of Columbia, in a prosecution under this subsection, the penalty which may be imposed for such violation is the highest penalty authorized by any of the laws for violation of which the defendant is convicted."

(d) The proviso contained in section 12 of that Act (40 U.S.C. 193k) is repealed.

(e) Section 16(a) of that Act (40 U.S.C. 193m; D.C. Code 9–132) is amended to read as follows:

"SEC. 16 (a) As used in this Act—

"(1) The term 'Capitol Building' shall be construed to include all buildings situated upon the United States Capitol Grounds and all subways and enclosed passages connecting two or more of those buildings.

"(2) The term 'firearm' shall have the same meaning as when used in section 1(3) of the Federal Firearms Act (52 Stat. 1252, as amended; 15 U.S.C. 901 (3)).

"(3) The term 'dangerous weapon' includes all articles enumerated in section 14(a) of the Act of July 8, 1932 (47 Stat. 654, as amended; D.C. Code 22–3214(a)) and also daggers, dirks, stilettoes, and knives having blades over three inches in length.

"(4) The term 'explosive' shall have the same meaning as when used in section 1(1) of the Act of October 6, 1917 (40 Stat. 385, as amended; 50 U.S.C. 121).

"(5) The term 'act of physical violence' means any act involving (1) an assault or any other infliction or threat of infliction of death or bodily harm upon any individual, or (2) damage to or destruction of any real property or personal property."

SEC. 2. Section 15 of the Act of July 29, 1892 (27 Stat. 325; 40 U.S.C. 101; D.C. Code 4–120, 22–3111), is amended by deleting "shall, upon conviction thereof, be fined not more than $50.", and inserting in lieu thereof: "shall be fined not more than $500, or imprisoned not more than six months, or both."

SEC. 3. Prosecutions for violations of the Act of July 31, 1946 (60 Stat. 718; 40 U.S.C. 193a et seq.; D.C. Code 9–118 et seq.) and of section 15 of the Act of July 29, 1892 (27 Stat. 325; D.C. Code 4–120, 22–3111), occurring prior to the enactment of these amendments shall not be affected by these amendments or abated by reason thereof. The provisions of this Act shall be applicable to violations occurring after its enactment.

Mr. FALLON (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

On page 3, line 2, immediately after "willfully" insert "and knowingly".

On page 5, line 18, strike out "shall" and insert in lieu thereof "may".

On page 6, strike out lines 1 and 2.

On page 6, line 3, strike out "(e)" and insert in lieu thereof "(d)".

The committee amendments were agreed to.

AMENDMENTS OFFERED BY MR. FALLON

Mr. FALLON. Mr. Chairman, I offer four technical and clarifying amendments and ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. FALLON: On page 4, line 11, strike out "or".

On page 4, line 16, strike out the quotation marks.

On page 5, line 5, strike out "(7)" and insert in lieu thereof "7".

On page 6, strike out lines 11 through 14 and insert in lieu thereof the following:

"(1) The term 'Capitol Buildings' means the United States Capitol, the Senate and House Office Buildings and garages, the Capitol power plant, all subways and enclosed passages connecting two or more of such structures, and the real property underlying and enclosed by any such structure."

Mr. FALLON. Mr. Chairman, these are technical amendments, merely to clarify the language.

The CHAIRMAN. The question is on

the amendments offered by the gentleman from Maryland [Mr. FALLON].

The amendments were agreed to.

AMENDMENT OFFERED BY MR. POFF

Mr. POFF. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POFF: On page 6, line 22, insert the following after the word "also": "any device designed to expel or hurl a projectile capable of causing injury to persons or property,".

The CHAIRMAN. The gentleman from Virginia [Mr. POFF] is recognized in support of his amendment.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from Maryland.

Mr. FALLON. I have seen the gentleman's amendment. I believe it strengthens the bill. We will accept it on this side.

Mr. POFF. I thank the gentleman.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from Florida.

Mr. CRAMER. I believe the gentleman has a sound amendment. It is needed. I agree with the amendment.

I referred to the gentleman earlier in my remarks, in the debate on the bill. I want to express to him my personal appreciation for the very fine research work he did relating to the confused state of the present law on this subject matter, as has appeared previously in the CONGRESSIONAL RECORD. It was a great deal of help to us in the committee and in the consideration of the bill, and in calling attention to the need for the bill.

The gentleman, one of the finest lawyers in the House, is to be congratulated for that service.

Mr. POFF. Mr. Chairman, in response to that most generous statement, may I say first of all thank you, and then, in order to be utterly honest, let me pause to pay tribute to the member of the staff of the Committee on the Judiciary of the House, Mr. Don Santarelli, who did the basic background research work which made the memorandum which appeared in the RECORD possible.

Mr. Chairman, just briefly, by way of explanation, this amendment is simply designed to include in the weapons which would be prohibited in the Capitol of the United States not only firearms but those guns which are discharged by use of compressed air or carbon dioxide or a spring mechanism or the zip-type gun or the so-called sling-type gun.

Mr. Chairman, I am grateful to the gentleman from Maryland [Mr. FALLON] and the gentleman from Florida [Mr. CRAMER] for accepting the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. POFF].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WALDIE

Mr. WALDIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALDIE: On page 2, line 8, insert after the word "persons," the word "knowingly."

On page 2, line 15, insert after the word "device" the following: "with intent to injure any person or property."

On page 2, line 23, insert after the word "device" the following: "with intent to injure any person or property."

On page 3, line 4, insert after the word, "knowingly," the following: "with intent to impede, disrupt, or disturb the orderly conduct of official business."

On page 3, line 22, beginning with the word "with," strike out all through "business," on line 23.

On page 4, line 3, beginning with the word "with," strike out all through "thereof" on line 8.

Mr. WALDIE. Mr. Chairman, the strike-out portions of the amendment merely reflect the fact that the qualification "with intent to disrupt the orderly conduct of official business" will no longer be required if my amendment is adopted, in items 3 and 4 on pages 3 and 4, because we repeat that phrase at the beginning of that section and require that specific intent for every one of the proscribed acts, in other words, that there be found "an intent to impede or disrupt or disturb the orderly conduct of official business."

It would seem, Mr. Chairman, these are the things we are seeking to prevent by this bill; namely, to prevent an impeding, disrupting, or disturbing of the orderly conduct of official business. I believe our use of the Capitol is restricted to the orderly conduct of official business and our right to control those visitors who visit our Capitol should similarly be limited to the fact of preventing them from impeding, disrupting, or disturbing the orderly conduct of our official business. This act goes much further than that. The actions of our visitors which are not intended to impede, disrupt, or disturb the orderly conduct of official business can be prohibited under the present bill. It seems that the Capitol belongs to the people of the United States as well as the Representatives of the United States.

The other amendment deals only with a section relative to a felony.

We use the word "willfully"—and as the gentleman from Florida explained—when described in terms of a misdemeanor, it carries with it the connotation of an evil intent being found. We do not demand that in terms of actions which are designed to constitute a felony. We do not even demand that they know they are committing a felony. All we say is if they know they have committed these specific acts, then they come under the definitions which constitute a felony. We should make this delineation so that no one makes a mistake when they do walk onto the Capitol Grounds, and should be sure that they know in having done so that they have committed a felony if engaged in the activities covered under the bill.

Mr. McCARTHY. Mr. Chairman, will the gentleman yield?

Mr. WALDIE. I am happy to yield to the gentleman from New York.

Mr. McCARTHY. Mr. Chairman, I support this bill, but in the language which is contained in the report we are undertaking to set up dual standards by exempting Members of Congress from carrying firearms even into their offices, or here.

Also, it seems to be anomalous that here we are rushing to get this thing through in order to protect ourselves. But, there is no such rush coincident with this to protect the public.

Mr. Chairman, by passing the administration's firearms bill to protect the public, we would be accomplishing something in their behalf. However, we are certainly hurring to protect ourselves.

Mr. WALDIE. I think that the remedy would be insured with the adoption of these amendments relative to the use of guns. The present law reads that if you discharge any gun within this area that constitutes a felony, no matter what the intent is and I believe that to be proper. But, with my amendment, if you are carrying or if you are transporting a gun you have to be found guilty of the charge that you are carrying it or transporting it with the intent to injure a person or property.

Mr. Chairman, all that this amendment is designed to do is to insure that every single action described as being evil in this legislation is, in fact, evil. It it to prevent innocent people from becoming ensnared in this situation.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. WALDIE. I am delighted to yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Chairman, in relation to one of the amendments which has been offered by my distinguished friend, the gentleman from California [Mr. WALDIE], the words "willfully and knowingly" appear.

However, if someone should walk through that door there or come in through the door here—if they should do so—and if no one were at the door and they walked on in, there is nothing "willfully" or "knowingly" inherent in that. I am talking about while the House is not in session.

As Speaker, I have allowed and have followed the practice of permitting Members to bring their friends and groups into the House Chamber. In my opinion this represents a wonderful and certainly stimulating and interesting experience. However, I can assure the gentleman from California, based upon my own knowledge of the law—having been before I came to Congress very active in trial cases, particularly criminal cases—the Government has to prove its case beyond a reasonable doubt as to the elements of "knowingly and willfully." And, if some individual or if some little family happened to stroll into this Chamber and if there is no one at the door to tell them that it is against the regulations and you cannot do this, that would not constitute a violation.

But, if it were someone who came through that door as happened a year or so ago and who rushed right into this Chamber, that would be a violation, of course. I have given considerable thought to this matter. Suppose he had a gun in his pocket; suppose he had a bomb on him? Who knows the instrumentalities of potential death which one carries with him?

Mr. Chairman, in connection with that amendment, I can assure the gentleman from California—at least I will join with

the gentleman in the statement that no one would undertake to prosecute someone who walked in here under totally innocent circumstances. However, if someone walked in here with a gun in their pocket, I am sure that the gentleman would agree that would represent a different situation?

Mr. WALDIE. Yes.

Mr. McCORMACK. Mr. Chairman, if the gentleman will yield further, this would be true even if the House were not in session.

However, I see groups out here and individuals from all parts of the country whom I am so glad to see. I upon occasion say to them, "Well, have you been in the House Chamber?" I give them permission to go in and upon occasion I come in with them. I think it is stimulating, especially when there are children involved. I say, "Well, I hope you will sit in the Speaker's chair; some of you youngsters might have the good fortune to be here some day." In my opinion that is productive of good results. I say, however, "When you sit there, remember it is not an electric chair, but sometimes there is an awful lot of electricity around it." Of course, I say this in a joking way and in making conservation with these people.

Mr. Chairman, the term "willfully and knowingly" would not cover anyone who happened to stray into the Chamber, if there were no guard or if there were no assistant doorkeeper or policeman at either one of these doors to prevent them from doing so.

Mr. WALDIE. Mr. Speaker, I am pleased to receive the assurances you have given me, but let me tell the Speaker what prompted my concern. I asked that question of the representative from the Department of Justice before the committee, I posed the very hypothetical question the Speaker posed to me about the family that walked into the Rayburn Room.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. McCORMACK, and by unanimous consent, Mr. WALDIE was allowed to proceed for 5 additional minutes.)

Mr. WALDIE. Mr. Chairman, I thank the Speaker for his courtesy in yielding me this time.

As I started to say, I posed that very hypothetical question, Mr. Speaker, to the representative of the Department of Justice before the committee. I said to him "What would happen to this family that visits me from Contra Costa County that accidently wanders into the Rayburn Room, assuming, No. 1, they intend to walk into the Rayburn Room and, No. 2, they knew it was the Rayburn Room." I said "Have they committed a crime?" and he said "Yes, they would have committed a crime, but no one would ever prosecute the people."

And I acknowledge that they would not prosecute them, but my objection is that those people would have been subjected to this insulting determination.

I am more inclined to accept the Speaker's version on what is criminal law than that of the Department of Justice, but my concern is that the Department of Justice apparently is not as certain as the Speaker is that "willfully" constitutes a situation that is not covered by the hypothetical question I posed.

Mr. McCORMACK. Of course, the gentleman asked the question if they willfully and knowingly walked into the Rayburn Room——

Mr. WALDIE. No. No.

Mr. McCORMACK. In violation of the law, but not if they happen to walk into the Rayburn Room.

Mr. WALDIE. Mr. Speaker, the very question I posed to the Department of Justice representative during the committee hearing—and if the report were before the Speaker he could see that I was talking about this family from Contra Costa County with one child who wandered down the hall, and there is no guard or policeman in the Rayburn Room, and it is an inviting room, and they walk into it. They knowingly walk in, and it is willful, they know it is the Rayburn Room. The representative of the Department of Justice said that under the wording of this bill they would have committed, of course, a crime, but he said "Do not worry. We would not prosecute them."

Mr. McCORMACK. If it is a willful matter——

Mr. WALDIE. They were tired.

Mr. McCORMACK. I believe the Rayburn Room is designed for the benefit of the Members, primarily. Is that correct?

Mr. WALDIE. That is correct, Mr. Speaker.

Mr. McCORMACK. All right. Rather than having your constituents out in the corridor, when the east wing was built the room was built so as to have Members meet their constituents under an atmosphere of respectability, and it is not only for meeting constituents and friends, but they have conferences in there.

Now, there is a corridor down the east side of the building, and my district offices are there. I come along that corridor and every once in a while I see a sign saying that the public is barred. I take that sign and put it inside the Rayburn Room, because it belongs inside the Rayburn Room, not out in the corridor. So I just move the sign back because I do not like to see a sign there saying to the public that they cannot walk down that corridor. That corridor goes over to the Senate side, and the sign properly should be in the Rayburn Room, geographically it should be in the Rayburn Room, so I move it back when I see it.

But if someone walked in there accidently, there is nothing willful or knowing about it. I can see them walking down that corridor, and they might step into the Rayburn Room, but there is nothing knowing or willful about that.

Mr. WALDIE. I accept the views of the Speaker, but the Department of Justice——

Mr. McCORMACK. With all due regard to the Department of Justice, they have not always been right.

Mr. WALDIE. I absolutely agree. I could not concur more. That was the reason why I thought if we included this phrase then the interpretation of the Speaker would be unmistakably correct.

Mr. HANNA. Mr. Chairman, will the gentleman yield?

Mr. WALDIE. I yield to the gentleman from California.

Mr. HANNA. Is it not the point of the gentleman that knowing and willful can be interpreted without what the criminal courts say is an inference that there is more or less an evil intent that is coupled with knowing and willful?

Mr. WALDIE. I certainly believe that to be so.

The gentleman from Florida in his research has determined that the inclusion of the word "willful" in a criminal statute requires a feeling of evil intent. My only reason for including this is to clarify the wording with the intent to impede and obstruct the business of the Congress; that is the only thing we are trying to prevent. So, whatever the evil intent was, if they prove these facts it does not matter how evil it was, these are easily provable, and it is a lot more difficult to prove it without this standard. Under the criteria the gentleman from Florida set up on his definition of "willful," then you have to prove some mystique, something very mysterious, some evil intent. And it seemed to me that this proposed amendment strengthens the act.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. WALDIE. Yes, I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding.

Mr. Chairman, I believe the gentleman has performed a very useful service in the colloquy that he has had with the Speaker. I say to the gentleman that I have some sympathy with his purposes and his objectives in connection with this language, but I do believe in light of the legislative history that has been written, with the very strong statement as to the requirement for the definition of "willful" and "knowingly" supported on both the majority and the minority sides of the House, that the need for the limitation which the gentleman seeks to add has been eliminated, and I believe we can proceed to adopt this bill without the dangers the gentleman fears.

Mr. WALDIE. That colloquy dealt only with the "misdemeanor" portion of the bill, but it sheds no light on the ambiguities contained in the felony section.

Mr. FARBSTEIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, insofar as the proposed amendments to page 2, it would seem to me that the mere possession of a firearm irrespective of what the person may have in his own mind should be sufficient to make it a misdemeanor. Hence, I am sorry but I must disagree with the proposed amendment.

As has been stated by the gentleman from Oklahoma and also with relation to the colloquy that took place, I think that rather clearly explains the intent of the Congress, to the effect that before there can be any conviction there is the presupposed fact that the language, as contained in the bill, so far as willfully and knowingly, as concerend it is required that the person must be shown

to have intended to impede and disrupt official business.

As I said earlier, I think the gentleman is wrong so far as the mere possession of the weapon is concerned.

In the State of New York, we have what is known as the Sullivan law. Under that law the mere possession of a weapon, a dangerous weapon, is a crime. It is a misdemeanor unless the person has a license. I think the gentleman should take that into consideration, although I am in complete accord with the clarification that he seeks to make in connection with this legislation.

Mr. WALDIE. Mr. Chairman, will the gentleman yield?

Mr. FARBSTEIN. I yield to the gentleman.

Mr. WALDIE. I think there is a misunderstanding on the gentleman's part. Under the present wording, without the amendment, the mere possession of firearms is a felony and not a misdemeanor. The mere possession of a firearm with no intent to use it for any improper purpose is a felony.

A family that goes through the Capitol grounds in a camper or trailer with a weapon in that camper and accessible to them has committed a felony under the wording of this act.

Mr. FARBSTEIN. It would seem to me, may I say in answer to the gentleman, that the onus is upon the individual who carries the weapon. If there is anybody who has to be careful and cautious about a possible violation of law, it is the one who carries the weapon.

Mr. WALDIE. The only reply that I would make to the gentleman is that there is no defense possible. The person could say that he carries the weapon because he has a permit to carry it and is carrying it across the country for the defense of his family. But that is no defense because the mere possession is a felony. There is no prescribed intent in the bill as it is written. The amendment I propose would give them a defense.

Mr. FARBSTEIN. I would be satisfied to go along with an amendment to make it a misdemeanor and to say that no intent is necessary. But I do believe that the mere possession of a dangerous weapon should be treated as a crime. As I said earlier, any explanation or any onus should be upon the one who carries the gun. We should not be compelled to prove that he was carrying it for any purpose other than an ulterior purpose.

So, as I said earlier, I think if there is to be any amendment, it might be in the sense that mere possession of a dangerous weapon should be a crime although it may well be a misdemeanor.

Mr. FALLON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not believe the language offered by the gentleman from California is necessary. In fact, it would have a tendency to weaken the bill.

Mr. CRAMER. Mr. Chairman, I rise in opposition to the amendment. I merely wish to cite for the RECORD the Supreme Court case of *Felton* v. *United States*, 96 U.S. 702, in which the Court discussed the meaning of the word "willfully" and its construction saying that it implies evil intent. There is no question about it. The State courts overwhelmingly have taken the same position. "Willfully" clearly includes bad intent. So what the gentleman is attempting to accomplish is already accomplished in the bill by the word "willfully." But it does not limit it to actually disrupting the House, as it appears in the bill. The gentleman's amendment would limit it to actually intentionally disrupting the Chamber. If some comes in and steals that dictionary or cuts up the paintings on the wall, they are not necessarily intentionally disrupting the conduct of business, but they are doing something with an evil intent. They come in here with an evil intent.

So as the bill is written, it is much broader, and the Supreme Court has stated time and again that principle as have the State courts. I think the amendment ought to be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. STEED, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 13178) to provide more effectively for the regulation of the use of, and for the preservation of safety and order within, the U.S. Capitol buildings and the U.S. Capitol Grounds, and for other purposes, pursuant to House Resolution 944, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken.

Mr. DEVINE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 336, nays 20, answered "present" 1, not voting 75, as follows:

[Roll No. 323]

YEAS—336

Abernethy	Arends	Bevill
Adair	Ashbrook	Biester
Adams	Ashmore	Blanton
Addabbo	Aspinall	Boland
Albert	Ayres	Bow
Anderson, Ill.	Baring	Brasco
Anderson, Tenn.	Barrett	Bray
Andrews, Ala.	Bates	Brinkley
Andrews, N. Dak.	Battin	Brock
Annunzio	Belcher	Brooks
	Bennett	Brotzman
	Berry	Brown, Mich.
	Brown, Ohio	Hansen, Idaho
	Broyhill, N.C.	Hardy
	Broyhill, Va.	Harrison
	Buchanan	Harsha
	Burke, Fla.	Harvey
	Burke, Mass.	Hathaway
	Burleson	Hays
	Burton, Utah	Hechler, W. Va.
	Bush	Heckler, Mass.
	Byrne, Pa.	Helstoski
	Byrnes, Wis.	Hicks
	Cabell	Holifield
	Cahill	Horton
	Carter	Hosmer
	Casey	Howard
	Chamberlain	Hungate
	Clancy	Hunt
	Clark	Hutchinson
	Clausen, Don H.	Ichord
	Clawson, Del	Irwin
	Cleveland	Jacobs
	Collier	Jarman
	Colmer	Joelson
	Conable	Johnson, Calif.
	Conte	Johnson, Pa.
	Corbett	Jonas
	Corman	Jones, Ala.
	Cowger	Karsten
	Cramer	Karth
	Cunningham	Kazen
	Daniels	Kee
	Davis, Ga.	Kelly
	Davis, Wis.	King, Calif.
	de la Garza	King, N.Y.
	Delaney	Kirwan
	Dellenback	Kleppe
	Denney	Kluczynski
	Dent	Kupferman
	Derwinski	Kuykendall
	Devine	Kyl
	Dickinson	Kyros
	Diggs	Laird
	Dingell	Langen
	Dole	Lennon
	Donohue	Lipscomb
	Dorn	Lloyd
	Dow	Long, La.
	Dowdy	Long, Md.
	Downing	Lukens
	Dulski	McCarthy
	Duncan	McClory
	Edmondson	McClure
	Edwards, Ala.	McCulloch
	Eilberg	McDade
	Erlenborn	McDonald, Mich.
	Esch	McEwen
	Eshleman	McMillan
	Evans, Colo.	MacGregor
	Everett	Machen
	Evins, Tenn.	Madden
	Fallon	Mahon
	Farbstein	Mailliard
	Fascell	Marsh
	Feighan	Martin
	Findley	Mathias, Calif.
	Fino	Mathias, Md.
	Fisher	May
	Flood	Mayne
	Foley	Meeds
	Ford, William D.	Meskill
	Fraser	Miller, Calif.
	Friedel	Miller, Ohio
	Fulton, Pa.	Mills
	Galifianakis	Minish
	Gardner	Mink
	Garmatz	Minshall
	Gathings	Mize
	Giaimo	Monagan
	Gibbons	Montgomery
	Gonzalez	Moore
	Goodell	Morris, N. Mex.
	Goodling	Morse, Mass.
	Gray	Morton
	Green, Oreg.	Mosher
	Green, Pa.	Multer
	Griffiths	Murphy, Ill.
	Gross	Murphy, N.Y.
	Grover	Myers
	Gubser	Natcher
	Gude	Nedzi
	Gurney	Nelsen
	Hagan	Nichols
	Haley	O'Hara, Ill.
	Hall	O'Hara, Mich.
	Halleck	O'Konski
	Halpern	Olsen
	Hamilton	O'Neal, Ga.
	Hammer-schmidt	O'Neill, Mass.
	Hanna	Passman
		Patten
		Pelly
		Pepper
		Perkins
		Pettis
		Philbin
		Pike
		Pirnie
		Poage
		Poff
		Pollock
		Pool
		Price, Ill.
		Price, Tex.
		Pucinski
		Quie
		Quillen
		Randall
		Reid, Ill.
		Reifel
		Reinecke
		Resnick
		Reuss
		Rhodes, Ariz.
		Riegle
		Rivers
		Roberts
		Robison
		Rodino
		Rogers, Colo.
		Rogers, Fla.
		Ronan
		Rooney, N.Y.
		Rooney, Pa.
		Rostenkowski
		Roth
		Roudebush
		Roush
		Ruppe
		St Germain
		Satterfield
		Saylor
		Schadeberg
		Scherle
		Schneebeli
		Schweiker
		Schwengel
		Scott
		Selden
		Shipley
		Shriver
		Sikes
		Skubitz
		Slack
		Smith, Calif.
		Smith, Iowa
		Smith, N.Y.
		Smith, Okla.
		Snyder
		Springer
		Stafford
		Staggers
		Stanton
		Steed
		Steiger, Ariz.
		Steiger, Wis.
		Stratton
		Stubblefield
		Stuckey
		Sullivan
		Taft
		Talcott
		Taylor
		Thompson, Ga.
		Thomson, Wis.
		Tiernan
		Tunney
		Ullman
		Vanik
		Vigorito
		Waggonner
		Walker
		Wampler
		Watkins
		Watson
		Whalen
		Whalley
		White
		Whitener
		Whitten
		Widnall
		Wiggins
		Williams, Pa.
		Wilson, Bob
		Winn
		Wolff
		Wydler
		Wylie
		Wyman
		Yates
		Young
		Zablocki
		Zion
		Zwach

NAYS—20

Bingham	Burton, Calif.	Curtis
Bolling	Cohelan	Eckhardt

Edwards, Calif.	McFall	Ryan
Gallagher	Nix	Scheuer
Gilbert	Ottinger	Teague, Calif.
Hawkins	Reid, N.Y.	Waldie
Kastenmeier	Roybal	

ANSWERED "PRESENT"—1

Van Deerlin

NOT VOTING—75

Abbitt	Fuqua	Purcell
Ashley	Gettys	Railsback
Bell	Hanley	Rarick
Betts	Hansen, Wash.	Rees
Blackburn	Hébert	Rhodes, Pa.
Blatnik	Henderson	Rosenthal
Boggs	Herlong	Rumsfeld
Bolton	Holland	Sandman
Brademas	Hull	St. Onge
Broomfield	Jones, Mo.	Sisk
Brown, Calif.	Jones, N.C.	Stephens
Button	Keith	Teague, Tex.
Carey	Kornegay	Tenzer
Cederberg	Landrum	Thompson, N.J.
Celler	Latta	Tuck
Conyers	Leggett	Udall
Culver	Macdonald, Mass.	Utt
Daddario	Matsunaga	Vander Jagt
Dawson	Michel	Watts
Dwyer	Moorhead	Williams, Miss.
Edwards, La.	Morgan	Willis
Flynt	Moss	Wilson, Charles H.
Ford, Gerald R.	Patman	Wright
Fountain	Pickle	Wyatt
Frelinghuysen	Pryor	
Fulton, Tenn.		

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Pickle for, with Mr. Van Deerlin against.

Mr. Hébert for, with Mr. Rees against.

Mr. St. Onge for, with Mr. Conyers against.

Mr. Boggs for, with Mr. Rosenthal against.

Until further notice:

Mr. Carey with Mrs. Bolton.

Mr. Celler with Mr. Gerald R. Ford.

Mr. Kornegay with Mr. Betts.

Mr. Jones of North Carolina with Mr. Utt.

Mr. Brademas with Mr. Frelinghuysen.

Mr. Thompson of New Jersey with Mrs. Dwyer.

Mr. Daddario with Mr. Cederberg.

Mr. Leggett with Mr. Keith.

Mr. Charles H. Wilson with Mr. Broomfield.

Mr. Tenzer with Mr. Bell.

Mr. Matsunaga with Mr. Rumsfeld.

Mr. Henderson with Mr. Wyatt.

Mr. Hull with Mr. Button.

Mr. Patman with Mr. Latta.

Mr. Fountain with Mr. Michel.

Mr. Culver with Mr. Railsback.

Mr. Landrum with Mr. Sandman.

Mr. Teague of Texas with Mr. Blackburn.

Mr. Moorhead with Mr. Vander Jagt.

Mr. Morgan with Mr. Moss.

Mr. Pryor with Mr. Fuqua.

Mr. Gettys with Mrs. Hansen of Washington.

Mr. Hanley with Mr. Herlong.

Mr. Tuck with Mr. Wright.

Mr. Macdonald of Massachusetts with Mr. Flynt.

Mr. Edwards of Louisiana with Mr. Udall.

Mr. Watts with Mr. Williams of Mississippi.

Mr. Willis with Mr. Blatnik.

Mr. Sisk with Mr. Stephens.

Mr. Holland with Mr. Dawson.

Mr. Brown of California with Mr. Ashley.

Mr. Purcell with Mr. Rarick.

Mr. Rhodes of Pennsylvania with Mr. Abbitt.

Mr. HAWKINS changed his vote from "yea" to "nay."

Mr. ECKHARDT changed his vote from "yea" to "nay."

Mr. VAN DEERLIN. Mr. Speaker, I have a live pair with the gentleman from Texas [Mr. PICKLE]. If he had been present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. FALLON. Mr. Speaker, pursuant to House Resolution 944, I call up from the Speaker's table for immediate consideration the bill S. 2310.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. FALLON

Mr. FALLON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Motion offered by Mr. FALLON: Strike out all after the enacting clause of S. 2310, to provide more effectively for the regulation of the use of, and for the preservation of safety and order within, the United States Capitol Buildings and the United States Capitol Grounds, and for other purposes, and insert in lieu thereof the provisions of H.R. 13178, as passed, as follows:

"That (a) the first section of the Act entitled "An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes", approved July 31, 1946 (60 Stat. 718; 40 U.S.C. 193a; D.C. Code 9–118), is amended by—

"(1) inserting therein, immediately after the words 'book 127, page 8,', the words 'including all additions added thereto by law subsequent to June 25, 1946,'; and

"(2) striking out the words 'as defined on the aforementioned map'.

"(b) Section 6 of that Act (40 U.S.C. 193f; D.C. Code 9–123) is amended to read as follows:

"'SEC. 6. (a) It shall be unlawful for any person or group of persons—

"'(1) Except as authorized by regulations which shall be promulgated by the Capitol Police Board:

"'(A) to carry on or have readily accessible to the person of any individual upon the United States Capitol Grounds or within any of the Capitol Buildings any firearm, dangerous weapon, explosive, or incendiary device; or.

"'(B) to discharge any firearm or explosive, to use any dangerous weapon, or to ignite any incendiary device, upon the United States Capitol Grounds or within any of the Capitol Buildings; or

"'(C) to transport by any means upon the United tSates Capitol Grounds or within any of the Capitol Buildings any explosive or incendiary device; or

"'(2) Knowingly, with force and violence, to enter or to remain upon the floor of either House of the Congress.

"'(b) It shall be unlawful for any person or group of persons willfully and knowingly—

"'(1) to enter or to remain upon the floor of either House of the Congress, to enter or to remain in any cloakroom or lobby adjacent to such floor, or to enter or to remain in the Rayburn Room of the House or the Marble Room of the Senate, unless such person is authorized, pursuant to rules adopted by that House or pursuant to authorization given by that House, to enter or to remain upon such floor or in such cloakroom, lobby, or room;

"'(2) to enter or to remain in the gallery of either House of the Congress in violation of rules governing admission to such gallery adopted by that House or pursuant to authorization given by that House;

"'(3) to enter or to remain in any room within any of the Capitol Buildings set aside or designated for the use of either House of the Congress or any Member, committee, subcommittee, officer, or employee of the Congress or either House thereof with intent to disrupt the orderly conduct of official business;

"'(4) to utter loud, threatening, or abusive language, or to engage in any disorderly or disruptive conduct, at any place upon the United States Capitol Grounds or within any of the Capitol Buildings with intent to impede, disrupt, or disturb the orderly conduct of any session of the Congress or either House thereof, or the orderly conduct within any such building of any hearing before, or any deliberations of, any committee or subcommittee of the Congress or either House thereof;

"'(5) to obstruct, or to impede passage through or within, the United States Capitol Grounds or any of the Capitol Buildings;

"'(6) to engage in any act of physical violence upon the United States Capitol Grounds or within any of the Capitol Buildings; or

"'(7) to parade, demonstrate, or picket within any of the Capitol Buildings.

"'(c) Nothing contained in this section shall forbid any act of any Member of the Congress, or any employee of a Member of the Congress, any officer or employee of the Congress or any committee or subcommittee thereof, or any officer or employee of either House of the Congress or any committee or subcommittee thereof, which is performed in the lawful discharge of his official duties.'

"(c) Section 8 of that Act (40 U.S.C. 193h; D.C. Code 9–125) is amended to read as follows:

"'SEC. 8. (a) Any violation of section 6(a) of this Act, and any attempt to commit any such violation, shall be a felony punishable by a fine not exceeding $5,000, or imprisonment not exceeding five years, or both.

"'(b) Any violation of section 2, 3, 4, 5, 6(b), or 7 of this Act, and any attempt to commit any such violation, shall be a misdemeanor punishable by a fine not exceeding $500, or imprisonment not exceeding six months, or both.

"'(c) Violations of this Act, including attempts or conspiracies to commit such violations, shall be prosecuted by the United States attorney or his assistants in the name of the United States. None of the general laws of the United States and none of the laws of the District of Columbia shall be superseded by any provision of this Act. Where the conduct violating this Act also violates the general laws of the United States or the laws of the District of Columbia, both violations may be joined in a single prosecution. Prosecution for any violation of section 6(a) or for conduct which constitutes a felony under the general laws of the United States or the laws of the District of Columbia shall be in the United States District Court for the District of Columbia. All other prosecutions for violations of this Act *may* be in the District of Columbia Court of General Sessions. Whenever any person is convicted of a violation of this Act and of the general laws of the United States or the laws of the District of Columbia, in a prosecution under this subsection, the penalty which may be imposed for such violation is the highest penalty authorized by any of the laws for violation of which the defendant is convicted.'

"(d) Section 16(a) of that Act (40 U.S.C. 193m; D.C. Code 9–132) is amended to read as follows:

"'SEC. 16. (a) As used in this Act—

"'(1) The term "Capitol Buildings" means the United States Capitol, the Senate and House Office Buildings and garages, the Capitol Power Plant, all subways and enclosed passages connecting two or more of such structures, and the real property underlying and enclosed by any such structure.

"'(2) The term "firearm" shall have the same meaning as when used in section 1(3)

of the Federal Firearms Act (52 Stat. 1252, as amended; 15 U.S.C. 901(3)).

"'(3) The term "dangerous weapon" includes all articles enumerated in section 14 (a) of the Act of July 8, 1932 (47 Stat. 654, as amended; D.C. Code 22–3214(a)) and also any device designed to expel or hurl a projectile capable of causing injury to persons or property, daggers, dirks, stilettoes, and knives having blades over three inches in length.

"'(4) The term "explosive" shall have the same meaning as when used in section 1(1) of the Act of October 6, 1917 (40 Stat. 385, as amended; 50 U.S.C. 121).

"'(5) The term "act of physical violence" means any act involving (1) an assault or any other infliction or threat of infliction of death or bodily harm upon any individual, or (2) damage to or destruction of any real property or personal property.'

"SEC. 2. Section 15 of the Act of July 29, 1892 (27 Stat. 325; 40 U.S.C. 101; D.C. Code 4–120, 22–3111), is amended by deleting 'shall, upon conviction thereof, be fined not more than $50.', and inserting in lieu thereof: 'shall be fined not more than $500, or imprisoned not more than six months, or both.'

"SEC. 3. Prosecutions for violations of the Act of July 31, 1946 (60 Stat. 718; 40 U.S.C. 193a et seq.; D.C. Code 9–118 et seq.) and of section 15 of the Act of July 29, 1892 (27 Stat. 325; D.C. Code 4–120, 22–3111), occurring prior to the enactment of these amendments shall not be affected by these amendments or abated by reason thereof. The provisions of this Act shall be applicable to violations occurring after its enactment."

The SPEAKER. The question is on the motion offered by the gentleman from Maryland [Mr. FALLON].

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 13178) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. FALLON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

OBSTRUCTION OF CRIMINAL INVESTIGATIONS

Mr. ROGERS of Colorado. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 676) to amend chapter 73, title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States.

The SPEAKER. The question is on the motion offered by the gentleman from Colorado.

The motion was agreed to.

IN COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 676, with Mr. STEED in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Colorado [Mr. ROGERS] will be recognized for 30 minutes, and the gentleman from Ohio [Mr. MCCULLOCH] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Chairman, the purpose of the proposed legislation is to amend chapter 73 of title 18, United States Code—relating to obstruction of the administration of justice—by adding a new section prohibiting the obstruction of Federal criminal investigations.

Sections 1503 and 1505 of chapter 73, title 18, presently prohibit attempts to influence, intimidate, impede, or injure a witness or juror in a judicial proceeding, a proceeding before a Federal agency, or an inquiry or investigation by either House of the Congress or a congressional committee. However, attempts to obstruct a criminal investigation or inquiry before a proceeding has been initiated are not within the proscription of those sections.

The proposed legislation would remedy that deficiency by providing severe penalties for attempting to obstruct the communication to a Federal criminal investigator of information relating to a violation of a Federal criminal law, thus extending to informants and potential witnesses the protections now afforded witnesses and jurors in judicial, administrative, and congressional proceedings.

Subsection (a) of the bill would amend chapter 73 of title 18, United States Code, by adding a new section, section 1510, at the end thereof.

Subsection (a) of the new section 1510 would prohibit willful attempts, by means of bribery, misrepresentation, intimidation, or force or threats of force, to obstruct, delay, or prevent the communication to a Federal criminal investigator of information relating to a violation of a Federal criminal law. The subsection would also prohibit injuring any person in his person or property on account of his communicating such information to a criminal investigator or on account of such communication of information by any other person—a relative or friend, for example. Both proscriptions would apply to protect the communication of information to a Federal criminal investigator at any time from the commission of a criminal violation or conspiracy until the institution of judicial proceedings within the meaning of sections 1503 and 1505. The penalty provided for a violation of the section is a fine of up to $5,000 or imprisonment for up to 5 years, or both.

Subsection (b) of the new section 1510 defines "criminal investigator" to include any person authorized by a department, agency, or armed force of the United States to investigate or prosecute violations of Federal criminal laws. This includes Federal prosecuting attorneys, as well as Federal criminal investigators, within the group of persons to whom the communication of information is protected.

Subsection (b) of the bill would make the necessary technical amendment to the chapter analysis of chapter 73 of title 18, United States Code.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. MCCLORY].

Mr. MCCLORY. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, I rise in support of S. 676, a bill to prohibit the obstruction of criminal investigations. My distinguished colleague, the gentleman from Colorado [Mr. ROGERS], has ably described the provisions of the bill. I do not wish to repeat what he has already said, but I do wish to underscore the importance of this legislation, particularly in view of the rising tide of crime.

The President's Crime Commission focused nationwide attention, as did recent issues of Life magazine, on the sinister and ever-growing power of organized crime. We are all aware of the great obstacles which confront prosecutors in the successful prosecution of organized criminals. The code of silence that shields participants in organized criminal activity is notorious. Bribery, intimidation, and the use of force are also employed by the crime syndicate to thwart criminal investigations and prosecutions. The successful utilization of the code of silence, bribery, and force virtually precludes prosecution and conviction of organized criminals.

But it is not only in organized criminal activity that the harassment, intimidation, or bribery of potential witnesses occurs. The problem permeates every phase of illegal or unlawful activity—prosecution and conviction is almost impossible to obtain when witnesses are subject to such pressures, and law enforcement officials are powerless to prevent the application of such pressures.

This bill would provide Federal law enforcement officials with the effective and long-overdue tool to control and prevent persons who willfully endeavor by means of bribery, misrepresentation, intimidation, or force, or threats thereof, to obstruct, delay, or prevent the communication of information relating to Federal criminal laws by any person to a Federal criminal investigator.

There has been raised some objection to this bill by the argument that the legislation could be used by criminal investigators to harass or threaten an actual witness. The report by the Committee on the Judiciary in both the House and the Senate makes very clear that such could not occur. It is the unequivocal contention of the members of both committees that the prohibitions in this bill would be applicable only to persons who procure another person by the means listed in the act to obstruct, delay, or prevent the communication of information. It is only the procurer that we seek to prosecute and not the actual witness.

The legislation has been strongly supported by the President's Crime Commission, the Department of Justice, the Judicial Conference of the United States, and law enforcement officials throughout the country. It is my hope that we may act promptly on this part of the war on crime.

Let me add that witnesses who testi-

fied before the Senate Judiciary Committee included Charles Siragusa, executive director of the Illinois Crime Commission; the Special Assistant Secretary of the Treasury, David C. Acheson; the Attorney General; and other witnesses; all of whom supported this legislation.

Let us provide law enforcement officials with this greatly needed weapon. I urge every Member's support of S. 676.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, I am sure all of us are equally concerned about crime and are willing to do what we can to combat the crime situation which confronts the Nation today.

This bill has a very worthwhile purpose, and I find myself in support of the purpose of the legislation, but I do believe it should be amended.

In the subcommittee of the Judiciary Committee which originally considered this legislation and which conducted the hearing, a majority of the subcommittee members voted to delete the word "misrepresentation" which appears on line 8 of page 1. When the bill came before the full committee the word was reinserted into the bill.

A few days ago, when the legislation came to the floor of the House, I suggested that I would offer the amendment to strike the word "misrepresentation," whereupon the chairman of the full Judiciary Committee said in open session that he was agreeable to accepting this amendment.

I am now advised that the chairman of the Judiciary Committee cannot be with us today, but that the gentleman handling the bill is not agreeable to accepting the amendment.

If Members have had the opportunity to look at the report, they have found that there is a very fine argument made for the proposition that there should be Federal legislation to prohibit attempts to influence, intimidate, impede, or injure a witness or a juror, or to prevent such conduct where a crime is under investigation.

It is said on page 2 of the report that the need for this legislation was to plug a loophole in the protection that the Government can now provide to its own witnesses and informants. This loophole results from the fact that presently it is not a Federal crime to harass, intimidate, or assault a witness who may communicate information to Federal investigators prior to the case reaching the court.

Well, we are in sympathy with that, and certainly we should have a loophole plugged.

Mr. HAYS. Mr. Chairman, I make the point of order, in view of the importance of what the gentleman is saying, that a quorum is not present. I think the Committee ought to hear what he is saying:

The CHAIRMAN. The Chair will count.

Seventy-four Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 324]

Abbitt	Flynt	Patman
Ashley	Ford, Gerald R.	Pickle
Bell	Fountain	Pool
Betts	Fulton, Tenn.	Pryor
Blackburn	Fuqua	Purcell
Blatnik	Gettys	Rarick
Boggs	Hansen, Wash.	Rees
Bolton	Hébert	Resnick
Brademas	Henderson	Rhodes, Pa.
Broomfield	Herlong	Rumsfeld
Brown, Calif.	Holland	Sandman
Button	Hull	St. Onge
Cederberg	Hungate	Sisk
Celler	Jones, Mo.	Stephens
Conyers	Jones, N.C.	Teague, Calif.
Corman	Landrum	Tenzer
Culver	Latta	Thompson, N.J.
Dawson	Leggett	Tuck
Diggs	Long, La.	Udall
Dingell	Martin	Utt
Downing	Matsunaga	Vander Jagt
Dulski	Moorhead	Watts
Dwyer	Morgan	Williams, Miss.
Edwards, La.	Mosher	Willis
Everett	Moss	Wright
Evins, Tenn.	Nedzi	Wyatt

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. STEED, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill S. 676, and finding itself without a quorum, he had directed the roll to be called, when 356 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the gentleman from North Carolina had 7 minutes remaining. The Chair recognizes the gentleman from North Carolina.

Mr. WHITENER. Mr. Chairman, as I was saying prior to the quorum call, it seems to me this bill would be much improved by the deletion of the word "misrepresentation" on page 1, line 8. The committee report language is rather interesting in several respects, and I would ask that we might read on page 3, the last paragraph before the analysis of the bill. Also, prior to that, the committee says:

> This committee wishes to make it abundantly clear that this legislation cannot be used by a Federal investigator to intimidate or harass a potential witness or informant by reason of his giving false or misleading information about a criminal violation.

I do not quite follow that language in the committee report.

Then the committee goes on to the other paragraph to which I referred, and I have been trying to understand this one for several weeks. It says:

> Your committee wishes to make abundantly clear the meaning of the term "misrepresentation" as used in this act. It is our intention that the actual procurement by a party of another party's misrepresentation or silence to a Federal investigator would be covered even though such procurement was not achieved by any misrepresentation. At the same time, it is also our intention that procurement of a witness' communication or silence to a Federal investigator by means of a misrepresentation on the part of the procurer is also covered under the act.

If a court looks at that explanation by the committee as to what it means, and understands that, it will be endowed with that degree of wisdom which many courts seem to hold they have already. I personally do not understand that explanation.

In a case in Nebraska—and there are many cases dealing with this, and I just happened to pull this one out of a reference in the library, Corpus Juris, in a Nebraska court, in Pasko against Trela—they said this:

> "Misrepresentation" means any manifestation by words or other conduct by one person to another that under the circumstances amounts to an assertion not in accordance with fact.

I do not know about that; misrepresentation by words or other conduct." It seems to me this gets us into a little problem here.

Then, in Webster's Third New International Dictionary, on page 1,445, the word "misrepresent" is defined as follows:

> Misrepresent: to represent incorrectly.

I can see, under the language of this bill, that a Federal investigator—and that includes all Federal investigators, practically—could go into a man's office under the guise of a general investigation. Perhaps it would be revenue, or food and drug, or many other types of things which may be either civil or criminal investigations. But at the time this investigator comes in, so far as this bill is concerned, he does not have to say, "Well, now, we have information that you have committed a crime and we are investigating that crime."

He could come in as a Federal investigator under the definition here of a criminal investigator, being "any individual duly authorized by a department, agency, or armed force of the United States to conduct or engage in investigations of or prosecutions for violations of the criminal laws of the United States."

So this man may come there as one of the types of investigators I have mentioned. He could be a wages-and-hours investigator coming in very quietly, just to make a friendly investigation, doing his job. In the course of the thing the individual might make a statement which is later shown to be incorrect, or might cause some employee to make one that was incorrect. When the trial came on for the main offense, a jury might well acquit the man, but the Federal prosecutor could then come back with this bill, if it becomes the law, and say, "You were acquitted on the principal offense we were investigating, but you caused one of your employees to make a misrepresentation of fact when we were investigating, and it made our investigation harder to accomplish. It obstructed and delayed us in our investigation. So you may think you are smart because the jury turned you loose, but we are going to indict you under this law and you could get up to a $5,000 fine or 5 years in prison."

My friends, I do not believe any of us want to do that.

I know there are a lot of arguments here by lawyers that this does not do what I say it does. But I want to say that over a period of 11 years it was my responsibility to send bills of indictment to the grand juries regularly.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. ROGERS of Colorado. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. WHITENER. Mr. Chairman, if I had had a defendant for whom I had to send in a bill of indictment to the grand jury under this proposed law, under the term "misrepresentation," I would have said that "on or about a certain date the said John Doe did willfully endeavor by means of misrepresentation to obstruct, delay, or prevent the communication of information relating to the violation of a Federal criminal statute" and I would name the statute, "to a criminal investigator, one Richard Roe, an agent of the Department of Labor," or "of the Food and Drug Administration."

That would be the indictment one would send under this.

I say to my colleagues that we should not make every mother who might tell an investigating officer that her son is not hiding in the closet or that her son is out of town when she knows he is around the corner subject to imprisonment for 5 years.

Mr. McCLORY. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. POFF].

Mr. POFF. Mr. Chairman, in the interest of economy of time, I shall not make a formal speech which would be appropriate in response to the point which has been so eloquently registered by the gentleman from North Carolina, but, rather, I will reserve my comments to the 5-minute rule when his amendment is offered.

Mr. POFF. Mr. Chairman, the obstruction-of-investigation bill is related to the obstruction-of-justice statute which has been on the law books for many years. That is the statute which makes it a crime to corrupt or injure a witness or a juror before a court, executive agency, or a congressional committee.

It might be thought that this statute is sufficient to protect those who potentially may become witnesses; namely, those who supply information to investigators. However, the courts have ruled that since criminal statutes must be strictly construed, the obstruction-of-justice statute applies only after the judicial proceeding has commenced and not during the period of investigation. The Department of Justice has recommended this legislation. The President's Crime Commission has endorsed it. And the President himself in his February 6, 1967, message on crime urged its adoption.

Simply stated, this bill would make it a crime to corrupt or injure a potential witness or informant who desires to communicate information to a criminal investigator. It not only protects the informant himself but members of his family and others close to him who might be the target of unlawful influence or injury.

It should also be understood that this bill applies only to the investigation of violations of Federal criminal statutes and to Federal criminal investigators.

Some dispute has arisen with respect to the thrust of subsection (a). The dispute is bottomed upon conflicting interpretations of the language. And in this particular, I concede that the syntax of the sentence is awkward. The gentleman from North Carolina [Mr. WHITENER] fears that this subsection would make a wife who makes a misstatement concerning the whereabouts of her husband a criminal.

This fear arises only if the clause "by any person" is taken to modify the clause "violation of any criminal statute." Because the sentence structure is misarranged, such an interpretation is possible. However, a reading of the subsection as a whole demonstrates clearly that the intent is that the clause "by any person" be taken to modify the clause "communication of information." Accordingly, the proper interpretation of subsection (a) might be paraphrased as follows: "Whoever endeavors by certain means to obstruct the communication of certain information by another person to a criminal investigator is guilty of a crime."

To appreciate fully what subsection (a) does, it must be understood that the new statute envisions three central actors—the investigator, the informant, and the obstructor. The first two, the investigator and the informant, might be called "supporting players." The third, the obstructor, is the principal player. The sanctions of the new statute apply only to the conduct of the principal player. The purpose of the new statute is only to penalize the person who attempts to frustrate the cause of justice by preventing the communication of information by informants to investigators. It does not penalize the informant. Thus, in the hypothetical case posed by the gentleman from North Carolina, the wife who misrepresents the whereabouts of her husband is not guilty of a violation of this statute.

Obviously, there are many ways in which the obstructer can prevent the communication of information by the informant to the investigator. He might use force or threats of force. He might resort to other forms of intimidation. He might attempt bribery. In addition to all of these, the obstructor can successfully prevent the communication of information by misrepresenting material facts to the informant. He may also successfully accomplish his evil purpose by persuading or forcing the informant to misrepresent the facts when he talks with the investigator. In either case, the obstructor obstructs the investigation and society's right to protection and vindication is denied. In neither case is the informant guilty of a criminal purpose. He is either the innocent victim or the frightened victim of the obstructor. This statute does not intend to penalize the victim.

Mrs. REID of Illinois. Mr. Chairman, I rise in support of S. 676, and wish to commend the Committee on the Judiciary for their prompt and favorable consideration of this legislation.

S. 676 is similar in objective to my own bill, H.R. 6387, which I introduced early in this session. I sponsored this measure because, to me, any frustration or obstruction of criminal investigations is inimical to our system of justice—and when this happens, all of our citizens are injured.

Organized crime is reported to be a flourishing business today; and it affects every individual, whether it is the innocent victim who is ruthlessly exploited or the ordinary citizen who must bear the tax burden of the growing cost of law enforcement. It is evident to me, and I believe to a great majority of those I have the privilege to represent in the Congress, that more realistic laws to deal with crime are necessary—and S. 676 is an essential step in that direction.

The greatest impact of this legislation will be felt where it is most urgently needed—in the prosecution of cases involving organized crime and racketeering. As the committee has pointed out in its report, it is in this area of investigation that witnesses most often refuse to cooperate with the prosecution because of threats or other kinds of intimidations directed at them or their families. This bill strikes at the very source of the power of racketeers, which is the ability of organized crime to impose silence on its members and thereby protect both the leaders and the membership in its organization.

Under the present law, it is not a Federal crime to harass, intimidate, or assault a witness who may pass information to Federal investigators prior to the prosecution stage. Experience has shown that potential witnesses or their families are often intimidated, threatened, and even injured during the investigative preliminaries to a criminal prosecution.

This bill, however, will provide protection for such witnesses by prescribing Federal penalties for any willful attempt by means of bribery, misrepresentation, intimidation, force, or threat of force, to obstruct, delay, or prevent the communication to a Federal criminal investigator of information relating to a violation of a Federal criminal law. I would hope, however, that the House could further clarify the terms "misrepresentation" and "criminal investigator" in order that there be no misunderstanding as to the intent of the Congress so that these terms would not be interpreted too broadly by the courts.

Mr. HORTON. Mr. Chairman, the bill which is now before us is identical in purpose to ones which I have sponsored in both this Congress and the 89th Congress. I am pleased to rise in support of this bill. As I am sure most of our colleagues realize, the present Federal law protecting jurors and witnesses in Federal judicial proceedings and congressional investigations has been narrowly construed by the courts. It has been interpreted to extend its protection only after the initiation of a formal proceeding. The result is that the Federal Government is frequently unable to effectively protect its own witnesses.

The measure before us would make it a Federal criminal offense for anyone to obstruct, delay or prevent the communication of information concerning a Federal crime to a Federal investigator by means of bribery, misrepresentation, intimidation or force. This measure would allow the Federal Government to better

protect its witnesses and prosecute those who attempt to silence such witnesses.

Organized crime in particular benefits from the present law, for organized crime typically resorts to the most brutal methods, including murder, to prevent the success of investigations which threaten its existence. In his testimony before the Senate Judiciary Committee Mr. Katzenbach referred to "dozens of cases of witnesses beaten with baseball bats and tortured with acetylene torches." He observed further that "for every identifiable case of intimidation or attack, there are many more cases of sudden, unexplained silence" on the part of witnesses or potential witnesses.

The recent report of the President's Commission on Law Enforcement and Administration of Justice talks about the difficulties faced by law enforcement agencies in getting people to testify against organized crime. "Even the true victims of organized crime," the report reads, "such as those succumbing to extortion, are too afraid to inform law enforcement officials." If law enforcement officials are able to develop informants, despite this fear, members of the criminal organization use "torture and murder to destroy the particular prosecution at hand and to deter others from cooperating with police agencies. Informants who do furnish intelligence to the police often wish to remain anonymous and are unwilling to testify publicly."

It would not be hard to continue with evidence of organized crime's willingness to employ drastic measures to obstruct justice. What concerns me is that gangsters and other criminals are actually being protected from punishment by our Federal law, because there is no statute to prohibit them from threatening or harming witnesses in order to prevent the initiation of court proceedings. There is no doubt in my mind that, as Attorney General Clark observes, "This frustration of criminal investigations is inimical to our system of justice. And when justice is frustrated, all of our citizens are injured."

This much needed legislation has already been approved by the Senate and I urge my colleagues to join me in supporting it today.

Mr. BINGHAM. Mr. Chairman, S. 676, aimed at the obstruction of federal criminal investigations, is obviously needed legislation for the reasons pointed out in the committee report and in the debate.

I regret that the word "misrepresentation" was not omitted as proposed by the gentleman from North Carolina [Mr. WHITENER] and I would have supported a motion to recommit to achieve this improvement in the bill. However, in the vote on final passage, I am constrained to vote in favor of the bill, rather than to have no bill at all.

Mr. ROGERS of Colorado. Mr. Chairman, I have no further requests for time.

Mr. McCLORY. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

S. 676

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 73, title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 1510. Obstruction of criminal investigations

"(a) Whoever willfully endeavors by means of bribery, misrepresentation, intimidation, or force or threats thereof to obstruct, delay, or prevent the communication of information relating to a violation of any criminal statute of the United States by any person to a criminal investigator; or

"Whoever injures any person in his person or property on account of the giving by such person or by any other person of any such information to any criminal investigator—

"Shall be fined not more than $5,000, or imprisoned not more than five years, or both.

"(b) As used in this section, the term 'criminal investigator' means any individual duly authorized by a department, agency, or armed force of the United States to conduct or engage in investigations of or prosecutions for violations of the criminal laws of the United States."

(b) The chapter analysis of chapter 73, title 18, United States Code, is amended by adding at the end thereof the following new item:

"1510. Obstruction of criminal investigations."

Mr. ROGERS of Colorado (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with, that it be printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

AMENDMENT OFFERED BY MR. WHITENER

Mr. WHITENER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITENER: On page 1, line 8, strike the word "misrepresentation."

Mr. WHITENER. Mr. Chairman, I have no desire to take any further time. I have already tried to outline my position. There is one other statement that perhaps I should have made. That is, that under existing law one who perjures himself under oath on the witness stand is subject to prosecution and punishment now. I do not think you ought to create an offense today which you might refer to as extra-judicial perjury, as this bill would do.

Mr. Chairman, I hope my amendment will be adopted.

Mr. CASEY. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Texas.

Mr. CASEY. Mr. Chairman, what the gentleman is trying to get at here is the real crooks, as I understand it, who, by bribery, threats or intimidation, or bodily injury, and so forth, keep from investigators and others from the courts information for the proper prosecution of criminals. When you get into the realm of misrepresentation, I think that the gentleman in the well has pointed out that there is a lot of room for abuse of this particular thing. Also, when you get into misrepresentation with intent, if there is any doubt in someone's mind then you subpena them under oath and then prosecute them for perjury.

I think that the gentleman has a good amendment and it should be adopted, because it will make this a good bill.

Mr. WHITENER. I thank the gentleman from Texas, who was a distinguished and able judge in the courts of Texas for many years before coming to this Congress.

Mr. RYAN. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from New York.

Mr. RYAN. It is not often I find myself in agreement with the gentleman from North Carolina, so I hasten to say I think he has made a very persuasive case.

Mr. WHITENER. I hope the gentleman will not shake my faith in my amendment. I thank the gentleman.

Mr. POFF. Mr. Chairman, I move to strike the last word.

Mr. Chairman, first let me pay sincere tribute to the distinguished gentleman from North Carolina. It has been my privilege to serve in this body with him now since he first came here, and I have nothing but the highest personal esteem and professional regard for the gentleman from North Carolina.

Mr. Chairman, the point which the distinguished gentleman from North Carolina makes, he makes in all sincerity, and he does so most persuasively.

However, I most respectfully take exception to the position which the distinguished gentleman has assumed.

Mr. Chairman, the dispute which arises, I think, has to do with differing interpretations of the same language. In this particular I can say that the syntax of the first sentence of subsection (a) is awkward. The gentleman from North Carolina senses, in essence, that this subsection would make a wife, when interrogated concerning the whereabouts of her husband, subject to the provisions thereof. The theory arises, Mr. Chairman, only if—and I invite your particular attention to the bill—the clause "by any person" is taken to modify the clause "violation of any criminal statute." I say this, Mr. Chairman, because the sentence structure here is inartfully drawn.

It is possible, by a stretch of interpretation to reach the conclusion which has been postulated by the gentleman from North Carolina, and yet I suggest that the proper interpretation of this language is to assume that the clause "by any person" modifies, rather, the clause "communication of information." This is how it was intended. Therefore, if it is so interpreted, it is impossible to draw the interpretation which the gentleman from North Carolina has drawn.

This intent is made abundantly clear in the committee report. This intent is made abundantly clear in the committee report of the other body. This intent is made abundantly clear by the witnesses who testified in support of the bill, including the witnesses from the Department of Justice—and, parenthetically, in that context, permit me, Mr. Chairman, to remind the members of the Committee that this legislation has the wholehearted support of the President of the United States, the Department of Justice, the Judicial Conference of the United

States, and the President's Commission on Crime.

I think it is important that we deal with this legislation, if possible, without adopting any definitive amendment, in order that we may move expeditiously to lay this bill on the President's desk.

If the amendment now pending should prevail and if a conference should be called for, I say that the delay which would ensue would not serve the best interest of the investigative branch of the executive establishment of this Government.

I think, Mr. Chairman, it would be unfortunate to allow the RECORD which we are writing today to stand without a refutation of the interpretation which the gentleman has offered

It has been said that judges sometimes do not read the legislative committee reports and judges sometimes are not influenced by the legislative history which is written in the course of debate on the floor of the House and upon the floor of the other body.

Mr. Chairman, if this is criticism, then it is a sad commentary upon the judicial system, and I do not choose to assume that those who hold in their hands the power to decide the liberty or the imprisonment, the life or the death, of the American people are so careless in reaching their conclusions in law. Rather, I think they are careful. I think Mr. Chairman, it would be a mistake to linger over this amendment.

Accordingly, I respectfully urge that this body reject the amendment. I say to my distinguished friend, the gentleman from North Carolina [Mr. WHITENER], that he should not be too disturbed that the chairman of the Committee on the Judiciary has withdrawn the acceptance which he registered, tentatively, when his acceptance was so registered.

I suggest that if the gentleman will rethink the matter and discuss it with the officials of the Department of Justice, the gentleman will find why the chairman withdrew his acceptance. I commend him for his openminded posture which permitted him to do so.

Mr. CRAMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to oppose the amendment. Very briefly, I would like to direct a question to the distinguished gentleman from Virginia which I was trying to do when the time of the gentleman ran out. The question I would like to direct to the distinguished gentleman from Virginia is that, having introduced this bill back in 1961, and again in this session, I am very much interested in seeing it become law. My interest is strong because I believe it is essential in fighting organized crime, as I understand it, to include in this legislation the word "misrepresentation." That word was put in for several specific and important purposes, and these have to do with the fact that one of the basic problems is that in the Mafia and the Cosa Nostra, the membership in those organizations alone would not be sufficient——

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I would say to the gentleman that I would prefer that he let me finish. I have not even finished my question.

As I say, membership in those criminal organizations alone could not necessarily be the basis of proof of participating in intimidation or threats of force and coercion, and, additionally, those are not usually the reasons for failure to obtain testimony. That failure is too often due only to a code of silence or loyalty. That is why "misrepresentation" was put in, specifically, intentionally, and purposely, to make certain that those situations where a member of the Mafia or Cosa Nostra is involved as a witness or a procurer of a witness will be covered. And that is why "misrepresentation" is included.

Is that not correct?

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Virginia.

Mr. POFF. It is entirely correct.

May I pause parenthetically to say that the President's Crime Commission, when it endorsed this concept, gave specific reference to the bill that was introduced by the gentleman from Florida several years ago. If any tribute is due any individual for this legislation, it is due primarily to the gentleman from Florida. I commend him and congratulate him on the work he has done in this matter.

Mr. CRAMER. That was not the answer I was seeking, but I thank the gentleman.

But I do not want to see the Cosa Nostra and Mafia members, by striking "misrepresentation," excluded from this legislation, and therefore I oppose strongly the language in the amendment.

Mr. POFF. Will the gentleman yield further?

Mr. CRAMER. Yes, I yield further to the gentleman.

Mr. POFF. May I say I believe the gentleman is entirely correct, and I believe it should be understood, in order to understand the full impact of what the gentleman says, that this legislation deals primarily with three actors, first the investigator, second the informant, and third, the obstructor, in the conveyance of information to the investigator, and this legislation applies in its criminal sanction only to the obstructor and never to the informer.

Mr. CRAMER. I agree with the gentleman.

Mr. BURTON of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have been impressed with the position of the gentleman from North Carolina of the misrepresentation aspect of this bill. I find it difficult to believe that the law enforcement agencies of our land have no other way to deal with the Cosa Nostra—if there be such, and I assume there may well be—than to pass this legislation that affects every single American. Including "misrepresentation" in this bill, coupled with the very broad definition of "investigator" gives me cause for grave concern about the constitutional liberties issues involved in this proposal—in its present form.

Now, if the investigators were limited to the FBI I suspect my concern would not be so broad, but this permits just about anyone in the Federal Establishment, presumably under the cloak of authority, to just go on a fishing expedition, prying into the lives and conduct of the American people. And because of the very broad definition of "investigator" there is all the more reason to be very cautious in terms of what we are going to include as a definition of what I understand to be felonious conduct if this legislation becomes law.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. BURTON of California. I yield to the gentleman.

Mr. ROGERS of Colorado. I might point out to the gentleman on page 2, line 9: "agency, or armed force of the United States to conduct or engage in investigations of or prosecutions for violations of the criminal laws of the United States."

Those persons who have given that authority under the statutes are the ones who are covered.

I have a complete list of them and I would be happy to include them in the RECORD.

Mr. BURTON of California. I would appreciate it if the gentleman would be so kind as to have them detailed at this point in the debate.

Mr. ROGERS of Colorado. I will do that. They are as follows:

DEPARTMENT OF JUSTICE

Federal Bureau of Investigation.
Immigration and Naturalization Service.

TREASURY DEPARTMENT

Internal Revenue Service: Alcohol and Tobacco Tax Division; Intelligence Division.
Bureau of Customs.
Bureau of Narcotics.
Secret Service.

POST OFFICE DEPARTMENT

Office of Chief Inspector.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration.
Social Security Administration.

LABOR DEPARTMENT

Office of Labor Management and Welfare Pension Reports.

DEPARTMENT OF TRANSPORTATION

Coast Guard.

DEPARTMENT OF DEFENSE

Air Force: Office of Special Investigations.
Army: Criminal Investigations Division; Counterintelligence Corps.

CORPS OF ENGINEERS

Navy: Navy Intelligence; Navy Inspector General and Provost Marshal.

Mr. BURTON of California. If I may interrupt the gentleman, I have so little time left and the list is so long. But I do want to thank the gentleman for making my point. I hope that the gentleman will complete his listing of the rather awesome number of Federal agencies that are now going to be, in effect, cloaked with this additional authority. I would hope that the gentleman would at this point seek unanimous consent that they may all be entered into the RECORD.

Mr. ROGERS of Colorado. I will have to revise and extend my remarks in opposition to the gentleman's motion and include this as part of my remarks.

Under unanimous consent, I insert at this point the list of the Government departments authorized to conduct criminal investigations and the statutes under which such investigations are conducted and the fields covered by same.

DEPARTMENT OF JUSTICE

Federal Bureau of Investigation: All criminal statutes not otherwise specifically assigned.

Immigration and Naturalization Service: Immigration and naturalization matters.

TREASURY DEPARTMENT

Internal Revenue Service:

Alcohol and Tobacco Tax Division: Liquor law violations; national firearms acts; tobacco tax.

Intelligence Division: Income tax and withholding tax violations.

Bureau of Customs: Customs violations.

Bureau of Narcotics: Narcotic laws.

Secret Service: Counterfeiting, threats against the President.

POST OFFICE DEPARTMENT

Office of Chief Inspector: Mail fraud and other postal violations including burglary, robbery of post offices, embezzlement of mail, lotteries, obscene material sent through mail.

HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration: Drug laws.

Social Security Administration: False claims.

LABOR DEPARTMENT

Office of Labor Management and Welfare Pension Reports: Investigates violations of Welfare and Pension Plans Disclosure Act, and Labor Management and Disclosure Act.

DEPARTMENT OF TRANSPORTATION

Coast Guard: Explosives shipment by water, navigation and shipping violations, security and safety of harbors and water fronts.

DEPARTMENT OF DEFENSE

Air Force, Office of Special Investigations: Criminal investigations.

Army:

Criminal Investigations Division: Criminal investigations.

Counterintelligence Corps: Intelligence.

Corps of Engineers: Water pollution.

Navy:

Navy Intelligence: Intelligence matters.

Navy Inspector General and Provost Marshal: Criminal investigations.

INTERIOR DEPARTMENT

Federal Petroleum Board: Connolly "Hot Oil" act.

Fish and Wildlife Service: Fish, game, and bird acts.

Bureau of Land Management: Grazing Act, trespass on public lands, timber depredations.

Branch of Investigation, Division of Inspections: Irregularities of employees in performance of duties.

Mr. BURTON of California. Mr. Chairman, in the brief time that I have left, I would like to state that the gentleman from Colorado has effectively buttressed one of the points I was trying to make, to wit, that this bill contains a very broad definition of an "investigator" and we ought to proceed therefore with the utmost caution.

For this reason, I intend to resolve the benefits of any doubt that I have in this regard in favor of proceeding more slowly rather than precipitously. Therefore, I intend to support the amendment of the gentleman from North Carolina.

Mr. CASEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it is true we find some strange bedfellows so to speak on this particular legislation. But I must say that the gentleman from Virginia and the gentleman from Colorado and the committee are deeply concerned, and rightfully so, about a hard-core segment of the criminal element of this country. But bear in mind that it is a minority of the people of this country. Let us not sacrifice the freedom, rights and privileges of the vast majority of the people of this country by placing this power in the hands of all of the agents in the list that the gentleman read—and he did not even get to finish the list—under this penalty.

You have a good bill in my opinion except for this one world, misrepresentation. You are placing too much authority in the hands of these agents.

Mind you, everyone of these agents or investigators is a human being. They get mad. They get their toes stepped on. They sometimes get over inflated about their work and they are inclined when they are not fully cooperated with, in their opinion, to file charges. Let us not give them that authority. You have a good bill except for this one word. When it comes to "misrepresentation"—if you have any idea that someone is giving you the runaround—if you have a major crime or there is a major investigation, you can certainly bring him in, put him under oath, and if he lies to you, put him away for perjury.

But let us not sacrifice all the rights and freedoms of the people of this country and put this country under a police state with this one word. I refer to the Agriculture Department. You listed them. You had a long list. When you mentioned those words as to the departments you were talking about, you knew that there are thousands of investigators in every one of those departments. The gentleman knows my position on guns. Some people want to penalize every law-abiding citizen who owns a gun in order to get at the criminal element. You are going to do the same thing in this bill. Do not do it.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. CASEY. Certainly I yield to my friend from Colorado.

Mr. ROGERS of Colorado. I do not think the gun bill has anything to do with it.

Mr. CASEY. It is the same principle. There are those who want to penalize all the law-abiding citizens. They want to put them under a police state to get at the hard-core criminal element.

Mr. ROGERS of Colorado. The gentleman's statement of my position may be inaccurate, but I want to point out that in regard to the statement you made about calling people in and putting them under oath, an investigator does not have that authority in every instance.

Mr. CASEY. No; and let us not permit him to get that authority. He is just an ordinary investigator.

Mr. ROGERS of Colorado. May I say to the gentleman that we are not giving him that authority in this bill. The only thing we are doing here——

Mr. CASEY. I will not yield any further. You may not be giving him the authority to interrogate under oath, but if someone gives him some information that he thinks—and I emphasize, he thinks—is misinformation, he can file a charge. All right. It may be fruitless. It may be innocent. But he has the authority to make everyone in this country to whom he talks, if he has any idea that they are giving him misinformation, the object of a charge which he might file against him. Do not shake your head, because he would have that authority. He would have the right to file a charge.

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. CASEY. I yield to the gentleman from Virginia.

Mr. POFF. He would not have the authority to file a charge if he knows in fact that the man is innocent.

Mr. CASEY. He has the right to file a charge.

Mr. POFF. If he has some doubt——

Mr. CASEY. If you give him the proposed authority, there will be more charges filed than you think.

Mr. POFF. Mr. Chairman, will the gentleman yield further?

Mr. CASEY. I yield to the gentleman from Virginia.

Mr. POFF. If he files a charge without proof that the information is misinformation, he makes himself vulnerable to a suit.

Mr. CASEY. I did not understand what the gentleman said.

Mr. POFF. He makes himself liable for a charge of false arrest or false prosecution.

Mr. CASEY. Do not give me that stuff. They do that all the time. How many false arrest charges have you seen filed recently?

Mr. POFF. I say again that unless the prosecutor or the investigator has information that is convincing to him that the information imparted by the informant is misinformation, he would never make the charge.

Mr. CASEY. You are ascribing to the investigators a great deal of intelligence that they do not have, and you know it. You have lived in this world long enough to know some of these investigators. The gentleman has a good amendment, and we ought to knock out that word for the benefit of the majority of the people.

Mr. McCLORY. Mr. Chairman, I rise in opposition to the amendment. I wish to point out that this legislation supplements the obstruction-of-justice legislation which is already on the books. The obstruction-of-justice law provides that whoever corruptly endeavors "to influence" witnesses, jurors, or officers shall be subjected to punishment. The present legislation does not go any further than the obstruction-of-justice statute when it seeks to get at the procurer of a person who misrepresents, the procurer of a misrepresentation.

Since this measure is aimed at organized crime, the syndicate, or Cosa Nostra, we must recognize that such criminal elements do not always use the tools of bribery or threats. Sometimes they use the code of the syndicate in which they procure testimony or silence, and such thwarting of an investigation does not necessarily follow a threat or a bribe.

Nevertheless, it does procure a misrepresentation which thwarts a criminal investigation.

I also want to point out that this measure relates to a criminal investigation which may extend over a long period of time. That is another reason for the need of this legislation. In such situations, there is no pending proceeding to which a person can apply for relief, but there is only an investigation going on, with all its ramifications with regard to organized crime. Such an investigation may extend over a long period of time. That is the thing we are trying to get at. We must not lose sight of the objective. Let us not release the organized criminals involved in this great network because of some technical arguments that may be made here, especially when the committee has made itself clear, not once but many times, and on the floor of the House we have made ourselves clear, too.

We are not trying to get at the person who makes a misstatement. We are trying only to get at the criminal who procures the misstatement. That is eminently clear in this report and in the debate on the House floor. I think it should be clear to everyone.

I would just like to point out that all the testimony, including all the witnesses who appeared before the Senate committee in support of this legislation, were aiming their attack at organized crime. That is what this is intended to get at. So let us give this weapon to the Attorney General in the fight against crime. Let us not preclude him from having it.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman from Texas.

Mr. WHITE. Mr. Chairman, I would like to give the gentleman a situation that happens virtually every day from California to the Gulf of Mexico. The border patrolman or the Immigration Department people come to a home and ask, "Do you have an alien working here who does not have a proper passport?" Of course, they do not follow through with an explanation. They ask, "Do you have a 'wetback' living here?" And the employer says, "No, I do not." It could be at a home, a business, or on a farm. When the person says, "No, I do not," does he not come under this law and become subject to 5-year imprisonment or a $5,000 fine?

Mr. McCLORY. No, that would not be involved. In the case you have described the witness himself is making a misstatement or misrepresentation of fact. S. 676 covers only the criminal suspect who "procures" a misrepresentation.

Mr. WHITE. Why would they not be involved? It is a criminal offense to illegally cross the border.

Mr. McCLORY. This is aimed at the procurer of the testimony. It is not aimed at the person making the misstatement, even though it is willful. It might be a crime under another statute, but it is not under this.

Mr. WHITE. This is a criminal violation. They had come across the border. The investigator goes to the person who is employing the one involved. The investigator asks, "Do you have a person working for you illegally?"

Mr. McCLORY. What the gentleman is referring to is a person involved in making a misstatement in a pending criminal case or a criminal who may be asserting rights under the fifth amendment. But that is not involved in this bill. The example the gentleman is giving is not an example which relates to this legislation. It is probably an example relating to the fifth amendment, and we are not discussing this amendment today.

Mr. WHITE. I cannot see where it does not apply, sir.

Mr. RYAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it is difficult to understand the response of the gentleman from Illinois [Mr. McCLORY] to the question posed by the gentleman from Texas [Mr. WHITE.]. This bill very clearly states in section 1510(a), "Whoever * * * by * * * misrepresentation"—on the face of it, this would apply to anyone who endeavors by misrepresentation to obstruct, delay, or prevent the communication of information relating to a violation of any criminal statute. So the example just cited would seem to fall within the statute.

Furthermore, I would make two other points. If the objective of this legislation is to reach organized crime, then I come back to the issue raised by the gentleman from California [Mr. BURTON]: Why is it necessary to extend the scope of the bill to a broad range of criminal investigators? It would seem to me, if the objective is to reach organized crime, sufficient to limit its application to the Federal Bureau of Investigation, the Internal Revenue Service, the Treasury Department Narcotics Bureau, and similar law-enforcement agencies, and not include every department and agency of Government, which may authorize individuals to act as "criminal investigators." The bill does not require that the person designated as a criminal investigator be a regular employee.

My final point briefly is this. This act would make criminal and punishable by a fine of $5,000 or 5 years imprisonment, or both, not a completed act, not an attempt as understood in criminal jurisprudence, but an "endeavor." The report on page 3 states that the word endeavor has been selected to avoid the "technical difficulties" involved in proving an attempt to commit a crime. I have yet to hear the justification for departing from well-established concepts of criminal law to create a brandnew form of felony.

Mr. ROGERS of Colorado. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Chairman, I have reviewed the amendment proposed to strike the word "misrepresentation." There is no need for this amendment. Both a careful reading of the bill and the committee report will show beyond question of a doubt that the intent is perfectly clear. I call your attention to the paragraph in House Report No. 658, on page 3 the following:

> This committee wishes to make it abundantly clear that this legislation cannot be used by a Federal investigator to intimidate or harass a potential witness or informant by reason of his giving false or misleading information about a criminal violation. The sole purpose of the act is to protect informants and witnesses against intimidation or injury by third parties with the purpose of preventing or discouraging the informants or witnesses from supplying or communicating information to the Federal investigator. The informants or witnesses cannot themselves be subject to prosecution under this act on account of any information they may furnish to the investigator.

There is no need to tamper with the language which has been studied by the subcommittee and the full committee. We must have this weapon against organized crime.

Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The question was taken; and on a division (demanded by Mr. WHITENER) there were—ayes 36, noes 54.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having assumed the chair, Mr. STEED, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 676) to amend chapter 73, title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States, pursuant to House Resolution 933, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken.

Mr. RYAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 276, nays 47, not voting 109, as follows:

[Roll No. 325]

YEAS—276

Adair	Baring	Brock
Adams	Bates	Brotzman
Addabbo	Battin	Brown, Mich.
Albert	Belcher	Brown, Ohio
Anderson, Ill.	Bennett	Broyhill, Va.
Andrews, N. Dak.	Berry	Burke, Fla.
	Biester	Burke, Mass.
Annunzio	Bingham	Burleson
Arends	Blanton	Burton, Utah
Ashbrook	Boland	Bush
Ashmore	Bolling	Byrne, Pa.
Aspinall	Bow	Byrnes, Wis.
Ayres	Brinkley	Cahill

Carey	Holifield	Poff
Carter	Horton	Pool
Chamberlain	Hosmer	Price, Ill.
Clancy	Howard	Price, Tex.
Clausen, Don H.	Hunt	Pucinski
Clawson, Del	Hutchinson	Quie
Cleveland	Irwin	Quillen
Collier	Jacobs	Randall
Conable	Jarman	Reid, Ill.
Cowger	Joelson	Reid, N.Y.
Cramer	Johnson, Calif.	Reifel
Cunningham	Johnson, Pa.	Reinecke
Curtis	Jones, Ala.	Reuss
Daddario	Karth	Rhodes, Ariz.
Daniels	Kastenmeier	Riegle
Davis, Wis.	Kazen	Robison
de la Garza	Kee	Rodino
Delaney	Kelly	Rogers, Colo.
Dellenback	King, Calif.	Rogers, Fla.
Denney	King, N.Y.	Ronan
Dent	Kirwan	Rooney, N.Y.
Derwinski	Kleppe	Rostenkowski
Devine	Kupferman	Roth
Dickinson	Kuykendall	Roudebush
Dole	Kyl	Roush
Donohue	Kyros	Ruppe
Dorn	Laird	St Germain
Dow	Langen	Saylor
Dowdy	Lipscomb	Schadeberg
Duncan	Lloyd	Scherle
Eckhardt	Long, Md.	Scheuer
Edmondson	Lukens	Schneebeli
Edwards, Ala.	McCarthy	Schweiker
Eilberg	McClory	Schwengel
Erlenborn	McCulloch	Scott
Esch	McDade	Selden
Evans, Colo.	McDonald, Mich.	Shipley
Everett	McEwen	Shriver
Evins, Tenn.	McFall	Skubitz
Fascell	MacGregor	Slack
Findley	Machen	Smith, Calif.
Fisher	Mahon	Smith, N.Y.
Flood	Mailliard	Smith, Okla.
Foley	Marsh	Snyder
Fraser	Martin	Springer
Friedel	Mathias, Calif.	Stafford
Fulton, Pa.	Mathias, Md.	Staggers
Gallagher	May	Stanton
Gathings	Mayne	Steed
Giaimo	Meeds	Steiger, Ariz.
Gibbons	Meskill	Steiger, Wis.
Gilbert	Miller, Calif.	Stratton
Gonzalez	Miller, Ohio	Stubblefield
Goodell	Mills	Stuckey
Goodling	Minish	Sullivan
Green, Oreg.	Minshall	Talcott
Green, Pa.	Monagan	Teague, Calif.
Griffiths	Moore	Thompson, Ga.
Gross	Morse, Mass.	Thomson, Wis.
Grover	Morton	Ullman
Gubser	Multer	Van Deerlin
Gude	Murphy, Ill.	Vanik
Gurney	Murphy, N.Y.	Vigorito
Haley	Myers	Walker
Hall	Natcher	Wampler
Halleck	Nelsen	Whalen
Halpern	O'Hara, Mich.	Whalley
Hamilton	O'Konski	Widnall
Hammer-schmidt	O'Neill, Mass.	Wiggins
Hansen, Idaho	Ottinger	Wilson, Bob
Hardy	Passman	Winn
Harrison	Patten	Wolff
Harsha	Pelly	Wydler
Harvey	Pepper	Wylie
Hathaway	Perkins	Wyman
Hechler, W. Va.	Pettis	Young
Heckler, Mass.	Philbin	Zablocki
Helstoski	Pike	Zion
Hicks	Pirnie	Zwach
	Poage	

NAYS—47

Abernethy	Ford, William D.	O'Hara, Ill.
Andrews, Ala.	O'Neal, Ga.	
Bevill	Galifianakis	Roberts
Broyhill, N.C.	Gardner	Roybal
Buchanan	Hagan	Ryan
Burton, Calif.	Hawkins	Satterfield
Cabell	Hays	Smith, Iowa
Casey	Jonas	Taylor
Clark	Karsten	Teague, Tex.
Cohelan	Lennon	Tunney
Colmer	McClure	Waggonner
Conte	McMillan	Waldie
Davis, Ga.	Mink	Watson
Downing	Montgomery	White
Edwards, Calif.	Morris, N. Mex.	Whitener
Farbstein	Nichols	Whitten

NOT VOTING—109

Abbitt	Bell	Bolton
Anderson, Tenn.	Betts	Brademas
Ashley	Blackburn	Brasco
Barrett	Blatnik	Bray
	Boggs	Brooks
Broomfield	Herlong	Rarick
Brown, Calif.	Holland	Rees
Button	Hull	Resnick
Cederberg	Hungate	Rhodes, Pa.
Celler	Ichord	Rivers
Conyers	Jones, Mo.	Rooney, Pa.
Corbett	Jones, N.C.	Rosenthal
Corman	Keith	Rumsfeld
Culver	Kluczynski	Sandman
Dawson	Kornegay	St. Onge
Diggs	Landrum	Sikes
Dingell	Latta	Sisk
Dulski	Leggett	Stephens
Dwyer	Long, La.	Taft
Edwards, La.	Macdonald, Mass.	Tenzer
Eshleman	Madden	Thompson, N.J.
Fallon	Matsunaga	Tiernan
Feighan	Michel	Tuck
Fino	Mize	Udall
Flynt	Moorhead	Utt
Ford, Gerald R.	Morgan	Vander Jagt
Fountain	Mosher	Watkins
Frelinghuysen	Moss	Watts
Fulton, Tenn.	Nedzi	Williams, Miss.
Fuqua	Nix	Williams, Pa.
Garmatz	Olsen	Willis
Gettys	Patman	Wilson, Charles H.
Gray	Pickle	Wright
Hanley	Pollock	Wyatt
Hanna	Pryor	Yates
Hansen, Wash.	Purcell	
Hébert	Railsback	
Henderson		

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Celler for, with Mr. Nix against.
Mr. St. Onge for, with Mr. Hébert against.
Mr. Fallon for, with Mr. Long of Louisiana against.
Mr. Boggs for, with Mr. Rarick against.
Mr. Garmatz for, with Mr. Henderson against.
Mr. Feighan for, with Mr. Kornegay against.
Mr. Morgan for, with Mr. Stephens against.
Mr. Tiernan for, with Mr. Jones of North Carolina against.
Mr. Tenzer for, with Mr. Fountain against.
Mr. Barrett for, with Mr. Rees against.
Mr. Dulski for, with Mr. Conyers against.

Until further notice:

Mr. Patman with Mrs. Bolton.
Mr. Madden with Mr. Gerald R. Ford.
Mr. Kluczynski with Cederberg.
Mr. Anderson of Tennessee with Mr. Michel.
Mr. Blatnik with Mr. Corbett.
Mr. Willis with Mrs. Dwyer.
Mr. Brasco with Mr. Fino.
Mr. Thompson of New Jersey with Mr. Frelinghuysen.
Mr. Charles H. Wilson with Mr. Utt.
Mr. Culver with Mr. Keith.
Mr. Moss with Mr. Betts.
Mr. Leggett with Mr. Broomfield.
Mr. Brooks with Mr. Bray.
Mr. Wright with Mr. Mosher.
Mr. Ashley with Mr. Latta.
Mr. Abbitt with Mr. Rumsfeld.
Mr. Pryor with Mr. Williams of Pennsylvania.
Mr. Gray with Mr. Bell.
Mr. Flynt with Mr. Watkins.
Mr. Fuqua with Mr. Button.
Mr. Gettys with Mr. Mize.
Mrs. Hansen of Washington with Mr. Railsback.
Mr. Holland with Mr. Taft.
Mr. Corman with Mr. Blackburn.
Mr. Rosenthal with Mr. Eshleman.
Mr. Rivers with Mr. Pollock.
Mr. Sikes with Mr. Sandman.
Mr. Brademas with Mr. Vander Jagt.
Mr. Landrum with Mr. Tuck.
Mr. Ichord with Mr. Williams of Mississippi.
Mr. Wright with Mr. Brown of California.
Mr. Dingell with Mr. Hungate.
Mr. Rhodes of Pennsylvania with Mr. Sisk.
Mr. Hull with Mr. Fulton of Tennessee.
Mr. Resnick with Mr. Diggs.
Mr. Moorhead with Mr. Macdonald of Massachusetts.
Mr. Nedzi with Mr. Edwards of Louisiana.
Mr. Hanley with Mr. Pickle.
Mr. Olsen with Mr. Udall.
Mr. Rooney of Pennsylvania with Mr. Herlong.

Mr. POAGE and Mr. BINGHAM changed their votes from "nay" to "yea."

Mr. MORRIS of New Mexico changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and include therewith extraneous matter on the bill S. 676, just passed.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

APPOINTMENT OF CONFEREES ON S. 1788, AUTHORIZING SECRETARY OF INTERIOR TO ENGAGE IN FEASIBILITY INVESTIGATIONS OF CERTAIN WATER RESOURCE DEVELOPMENTS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1788) to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments, with a Senate amendment to the House amendment thereto, disagree to the Senate amendment to the House amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Colorado? The Chair hears none, and appoints the following conferees: Messrs. JOHNSON of California, HALEY, EDMONDSON, HOSMER, and REINECKE.

LEGISLATIVE PROGRAM FOR FRIDAY, OCTOBER 20, 1967

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time to ask the majority leader if he will kindly advise us as to the program for tomorrow.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the distinguished gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I appreciate the distinguished acting minority leader bringing this matter up, because I do want to take this means of advising the House there will be a session tomorrow. We are adding to the program two bills:

H.R. 10442, to facilitate exchanges of Forest Service lands for public school use, with an open rule and 1 hour of debate; and

House Resolution 241, to transfer jurisdiction over military and national cemeteries from the Committee on Interior and Insular Affairs to the Committee on Veterans' Affairs.

Mr. ARENDS. Mr. Speaker, I thank the gentleman.

I might add for the information of the gentlemen here, these bills are not controversial, as I understand.

Does the gentleman have any information he can give us about next week, or would he prefer to wait until tomorrow?

Mr. ALBERT. I plan to announce the program for next week tomorrow. However, I advise Members that there will be considerable business next week. We will have conference reports and original bills also.

I believe right now we might expect a conference report on an appropriation bill on Monday.

Mr. ARENDS. On Monday. I thank the gentleman.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Indiana.

Mr. HALLECK. Have these bills been tried under unanimous consent? I have an idea that the bills scheduled for tomorrow would pass under unanimous consent.

Mr. ALBERT. So far as I know they have not been.

WHY WE NEED HIGHER THIRD-CLASS POSTAL RATES

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, the debates in the House yesterday underline the critical nature of the fiscal and economic situation confronted by the Nation today. I believe that many Members now see the importance of further raising the postal rates on third-class mail. Some extremely persuasive testimony was presented within the past few days to the Senate Post Office and Civil Service Committee by the Postmaster General and the Director of the Bureau of the Budget. Because this subject matter is so pertinent to the budgetary discussions which are now going on, I include the texts of these statements, as well as the text of testimony which I presented yesterday to the same committee:

STATEMENT BY POSTMASTER GENERAL LAWRENCE F. O'BRIEN BEFORE THE SENATE POST OFFICE AND CIVIL SERVICE COMMITTEE, OCTOBER 16, 1967

Mr. Chairman and Members of the Committee, I'm pleased to have this opportunity to speak to you about several matters that are of vital concern to the Post Office and to our Nation as a whole.

The fiscal facts that prompted the postal rate legislation now before this Committee are known to all of you. In brief, our deficit reached an all-time high in fiscal 1967, exceeding $1.1 billion. This year—even before we record the effects of possible salary increases—our loss will be more than $1.2 billion. The pay bill enacted by the House would add another $231 million to our deficit this fiscal year.

These burdensome deficits are reason enough to ask the Congress for a general rate increase. In fact, I would be neglecting my duties if I did not urge a rate increase to meet the requirements of the Postal Policy Act. The Postal Policy Act says that "postal rates and fees *shall* be adjusted from time to time as may be required" to make postal revenues approximately equal to operating costs, excluding the cost of the Department's public service responsibilities.

As my first chart shows, our operating deficit this year is about twice the level of public service costs authorized by the Postal Policy Act. In other words, the taxpayer is footing the bill for about $645 million of postal costs that should be paid by users of the mails.

Mr. Chairman, while these are indeed oppressive facts, I must emphasize that my request for a general rate increase was not prompted solely by parochial budget balancing aims. I have a much deeper concern. Unless we face up to the need for quick and far-reaching changes, our postal service may collapse under the weight of the fast growing demands heaped upon it.

Our postal system serves six per cent of the world's population, yet it sags under the weight of half the world's mail. (Chart No. 2.) Our system cannot take on three to four *billion* more pieces of mail each year without facing repeated threats of service breakdown.

Each day brings new and disturbing evidence that we have long insulated the postal service from the technological progress that has permeated nearly every other segment of our economy. The gravity of the problem we face calls for a massive modernization effort, an effort that will require average capital outlays of $1 billion *each* year over the next five years.

Facing facts realistically, we cannot expect the Congress to appropriate $1 billion per year for capital programs on top of more than $1 billion, each year, to meet our current operating deficits.

Most mail sorting today is still a peek-and-poke operation. Lines of pigeon-hole cases occupy most of the working space in archaic postal buildings. Over the next few years, we must catch up with a modernization lag that has left most of our postal operations and facilities 30 years behind current technology. As shown in Chart Number 3, of all the federally owned space we occupy, about 90 per cent was built in the 1930's or earlier.

Unless we modernize thoroughly and effectively, we cannot provide adequate service for a booming mail volume. If the rate of growth of the past 10 years is repeated, mail volume will top 100 billion pieces in 1976. And even this enormous figure may prove to be conservative, since the per capita use of the mail is increasing, as shown in Chart Number 4.

We now require more than 700,000 employees to do the job. In the near future, we will be well beyond the point where adding another army of postal workers can cope with our towering workload.

ZIP Code is bringing us to the threshold of the technological barrier we must crack. To pass across that threshold, our largest post offices and sectional centers must have a coordinated array of modern mail handling instruments: optical scanners, electronic sorting machines, and new materials handling equipment. Further, we must have buildings designed for streamlined postal operations, not buildings fitted merely for miles of pigeon-hole sorting cases.

Unless we modernize, I can see no way to slow the upward rise in postal costs and rates. Personnel costs account for more than 80 percent of our budget and even under the most improved operation our employees will remain our major cost as well as our most important resource. But with more capital equipment to share the work that men do today, staff growth will be slowed and future pay raises will be justified more by productivity gains than by increases in living costs.

Mr. Chairman, the House Postal Rates Subcommittee completed 21 days of public hearings on the Administration's rate bill. My staff provided me with a full account of each day's proceedings, all of which left me with one dominant impression: No one denied that the postal service is operating under the most burdensome deficit in its long history; yet, few mail-user groups conceded they contributed to that deficit in any significant way.

We have no illusory deficit. It is real and massive. And it must be ascribed to all patrons, despite the efforts of many who deprecate or brush aside the Department's cost figures.

Postal service is the most widely shared of all Federal services, but it is not shared equally by all taxpayers. Business generates about 80 per cent of all mail. (Chart Number 5.) Yet, while postal service is largely a business service, we ask all taxpayers to pay for postal deficits. It would be much fairer to ask those who use postal service to pay in proportion to their demands for such service.

In 1966 we delivered more than twice the volume of mail we delivered 20 years ago. There is evidence that unrealistically low postage rates were a factor in this rise.

Mail has its counterparts in other modes of communication, delivery, and advertising. Therefore, when postal rates are low in relation to other prices, mail volume rises rapidly. And when such growth adds to postal deficits, I believe we have a greater responsibility to charge them to mail users rather than to the taxpaying public.

Mr. Chairman, five months have passed since the House began its review of the rate proposals submitted by the President. Although I regret the need to postpone effective dates, these months were well spent. I am deeply grateful to the 26 members of the House Committee for their penetrating analysis of a massive volume of testimony. I trust their prodigious efforts, culminating in a comprehensive report and recommendations on all key issues, will lighten the burdens of this Committee.

We proposed rate increases yielding about $825 million, based on projected mail volume for fiscal 1968. The bill approved by the House carries a price tag of $890 million. Consequently, every week of delay means that about $17 million of postage costs that could and should be paid by users of the mail are being financed, instead, from general Treasury funds. Revenue from the House bill would exceed our proposal by about $35 million annually on single piece third-class mail, $30 million on air mail, $5.5 million on mass circulation commercial publications, and $4 million on nonprofit second-class publications.

Of the total additional revenue, some $568 million would flow from increases in letter postage. The remainder would be generated by increases ranging roughly from 20 to 30 per cent in other classes of mail.

Mr. Chairman, in discussing our rate proposals I feel little would be gained by retracing issues that are wrapped in controversies over the merits of out-of-pocket costs versus fully allocated costs. Therefore I will make no reference to cost coverage for the various classes of mail. Instead, I will discuss costs and rates about which there can be no dispute.

Certainly no one can dispute the statement that about 80 per cent of our expenditures are labor costs—and that each minute of productive labor time costs very nearly

7 cents per employee. Now, contrast that, if you will, with the fact that 94 per cent of our first-class letters are delivered for only one nickel. I challenge anyone to cite any commodity or service of comparable value that can be purchased at that low price.

Mr. Chairman, our first-class postal rates can honestly be described as a bargain. As Chart Number 6 shows, the average American worker now earns the price of a letter stamp in about one minute. It takes the average Canadian worker more than 1.3 minutes to earn the money for a stamp. It takes the British worker 2.5 minutes, the West German worker 4 minutes, and the average French worker must put in almost six minutes on the job to buy a stamp.

Let's go on with our contrasts. For most newspapers, our average postage is 1¼ cents; for magazines, 2½ cents; for advertising circulars, 2⅞ cents. And these are among our highest rates, except for parcels. To complete the contrasts, I would have to talk about the *one penny* we receive to deliver 8 rural newspapers or 8 publications of nonprofit organizations. I would also have to tell you about the nickel we get to make cross-country deliveries of as many as 4 circulars mailed by nonprofit organizations.

At nearly 7 cents per minute for postal clerks and carriers, can there be any reasonable doubt that all our rates are too low?

Since the Postal Policy Act states clearly that first-class mail must pay all its allocated costs, plus an additional amount representing the fair value of all extraordinary and preferential services, facilities, and factors relating to it, we are proposing a one-cent increase in first-class mail rates, including letters and post cards.

Compared with first-class rates, second- and third-class rates should be and are lower because mailers using these classes do much sorting and other pre-mailing work at their own expense and these classes do not receive the priority service of first-class mail. However, in view of the size and nature of the postal deficit I feel equity demands that the increases for these classes should be at least as large as for first-class mail.

During past debates over proposed rate increases, when doubts arose over the ability of second- and third-class mailers to pay higher rates they were usually resolved in favor of more moderate rate increases. In 1961, for example, warnings that the magazine industry was "in a precarious financial position" had a significant effect on the decision to enact a moderate postal rate increase phased over a 3-year period. According to magazine industry spokesmen, however, their financial situation has since changed from insecure to solid.

In view of the many reports of the health of the publishing industry, in sharp contrast with deepening postal deficits, we asked the Congress to approve an average 23 per cent increase—phased over three years—for regular-rate, outside-the-county mailings of second-class publications.

Of all rate issues, the one that has generated the most heat and controversy is third-class bulk mail. I will speak frankly on that issue. My reading of public sentiment indicates there is a widely held belief that bulk mail rates should be well above present levels, even higher than those we proposed to the Congress. I am also firmly convinced that the general public is willing to pay its fair share of higher postal costs. But the public is adamantly opposed to higher rates for letters unless bulk rate matter pays substantially more than its present postage.

I believe our proposal on bulk mail rates strikes a fair balance between the interests of the public and the mailers. It would substantially reduce the deficit attributable to the delivery of third-class mail, but it would not crush third-class mailers under an intolerable financial burden.

Yet, the severest reaction to our rate proposals has come from third-class mailers who protest they are being treated unfairly. Objections have been raised to the amount of the increase and to the fact that it isn't phased, as is the proposed raise for second-class mail.

Let's take up rate levels first. Second-class rates have always been much lower than rates for any other class of mail. Low rates for publications are rooted in the long-standing tradition of promoting the widest possible distribution of newsworthy and educational reading matter. Third-class rates, on the other hand, are higher because that service is primarily for advertising matter in direct competition with numerous other advertising media.

Our proposed rate increases average 31 per cent for bulk third-class and 23 per cent for regular rate second-class. The higher increase for third-class would compensate for the more favorable treatment it received in the 1962 rate law, when second-class was raised 25 per cent and bulk third-class only 15 per cent.

As to phasing, we can expect both second- and third-class mailers to pass on most, if not all, of their postage increases to their customers. But this cannot be done as quickly for newspapers and magazines as for direct-mail advertising. For much of their revenue, publishers depend on subscriptions which often run over periods of two to three years and longer. The three-year phasing would permit publishers to absorb higher rates gradually and to recoup their costs on new subscriptions as old ones expire.

Bulk rate third-class mail has been the most rapidly growing of all major mail services. From 1947 to 1966 its volume increased more than 250 per cent, compared to 80 per cent for all other mail. Even from 1953 to 1966, when most rate increases were effective, bulk mail rose 73 per cent. (Chart Number 7.)

There is no doubt that low postage rates have contributed to the extraordinary growth of direct mail. There also is abundant evidence that past rate increases have not disadvantaged either the direct-mail industry or the users of that advertising service. Since 1950, bulk mail volume—commercial and nonprofit combined—has grown faster than our economy. And direct-mail has held its 15 per cent share of the nation's advertising dollar despite higher postage costs and hard driving competition from television radio, and magazine advertising. (Chart Number 8.)

I found of considerable interest a published article highly favorable to direct-mail. It appeared in the January issue of *Postal Record*, the official publication of the National Association of Letter Carriers. That article reported:

"If there were no third class mail, the Post Office Department could eliminate about one-quarter of its clerical employees, and about one-fifth of its letter carriers."

Well, the cost of keeping that number of employees on our payrolls is about $780 million annually. In contrast, total revenue from third-class mail is only $682 million. So, right off, we have an out-of-pocket loss of nearly $100 million in just two personnel categories, to say nothing of the added costs for other personnel, transportation, space and equipment.

We do not object to the rapid growth of third-class mail. We recognize it as a sign of economic growth. However, we *do* object when that growth adds considerably more to our costs than to postal revenues and thus adds to the burdens of other mail users and taxpayers who must pay the costs of rapidly mounting postal deficits.

I want to stress that we appreciate the efforts of second- and third-class mailers to comply with ZIP Code pre-sort regulations. And we understand their desire for information on our savings from ZIP Code. But we could not calculate savings from a system still in its infancy. Even now, we hesitate to make premature estimates. But in view of the intense interest I will present our latest estimates, subject to revision in light of more complete data and experience.

Recent studies indicate ZIP Code pre-sort savings are averaging two-tenths of a cent per piece. Applied to our projected 1968 volume this would mean total annual savings of about $35 million for bulk rate third-class and $18 million for publishers' second-class mail. In other words, were it not for pre-sorted second- and third-class mail we estimate our expenses in 1968 would be $53 million higher.

Mr. Chairman, our proposals also call for increases in the rates paid by nonprofit organizations. On a percentage basis, these increases are steeper than other increases, but only because past rate adjustments for this category of mail have been unrealistically low. Even with the proposed increases, such organizations would still enjoy large and valuable postage preferences. Currently, the public service cost of handling nonprofit mail exceeds $200 million yearly—nearly 40 per cent of all public service costs. (Chart Number 9.)

Minimum rates for nonprofit organizations were not raised in 1962 when all other rates were raised.

Mr. Chairman, the bill approved by the House differs in some respects from the proposals submitted by the Department. I will discuss each difference where I feel major issues are involved.

My keenest disappointment stems from the omission of all references to surcharges for mail of hard-to-handle sizes and shapes. It is the will of the House that this subject be explored more fully before standards or surcharges become effective.

Accordingly, in the very near future the Department will have ready for submission to the Congress a new legislative proposal on this matter. We will recommend that the Congress set surcharges for lightweight pieces of first-class and air mail that cannot be processed readily by postal machinery and that the Department be directed to conduct a comprehensive study to determine the size standards on which the surcharge should be based. The surcharges would not become effective until two years after the size standards developed as a result of the Department's study have been published in the Federal Register. The mailing public would be given ample opportunity to comment on the size standards proposed by the Department before they are published in the Register.

We will not propose surcharges for third-class mail. However, I am taking this opportunity to advise the Congress and mailers of our intention to issue regulations governing pieces of odd size and shape. Our aim is to exclude from bulk mail all pieces that cannot be tied into bundles by letter carriers in the normal manner. These regulations will be issued, initially, as proposals with adequate opportunity for mailers to react and to adjust to final decisions.

There are a few other House departures from our own proposals that I believe merit some comment:

Air mail. We recommended a one-cent increase in the rates for air mail letters and postal cards. The House bill calls for a two-cent increase. In the interests of equity and the maintenance of a proper balance among the charges for the various levels of postal service, we feel a one-cent increase in the rates for air mail letters and postal cards should be enacted.

Second-class rates for non-profit organizations.—Our proposal called for a new postage principle of charging nonprofit publications slightly higher rates for advertising than for editorial content. The House accepted the principle and decided to raise nonprofit postal rates for advertising content—over a six-year period—to almost the same level as rates for advertising in commercial publications. The House bill makes nonprofit

and commercial rates identical up to the sixth zone, but for the sixth zone and beyond nonprofit rates would be 12 cents, while commercial rates would go up to 17 cents per pound for Zone 8. We do not object to equal rates for advertising content. If Congress favors this approach, we feel nonprofits should pay the commercial rates for all zones, not just the first five.

Air second-class.—The House bill would authorize air mail for second-class publications upon request on a space available basis, with the mailer paying the additional cost of the air transportation. To give us time to clear up the space problems this new service would create, we ask that it not start until six months after the effective date of the new second-class rates. Also, we recommend a minimum charge of four cents per copy for air second-class to discourage diversion from first-class mail. Without a minimum, some mail now being sent first-class could be shifted to air second-class and receive similar service at a rate that would result in a loss for the Post Office. The basic rate for second-class mail does not come close to covering the Post Office's cost in delivering it. Even if the full additional cost of providing air transportation is added to the basic charge, the rates for air second-class will still be below the break-even point for the Department. Unless a minimum charge is set, newsletters, for example, could shift from first-class to air second-class with a resulting drop in postal revenue from six cents per piece to as little as two cents.

Surcharge on mass-circulation publications.—As you know the House added a charge of three-tenths of a cent per piece on regular second-class publications that mail out more than 500,000 copies per issue. This provision was not in the Administration's recommendations. I am certain the Committee will be hearing the views of the magazine industry on what effect this provision would have on publications distributed through the mail.

Bulk third-class nonprofit rates.—Our proposal called for returning to the formula of setting bulk third-class rates for nonprofit organizations at half the commercial rate. The House adopted the principle but seriously weakened it by exempting from the increase mailings of groups with charitable, religious, or general health purposes or *any* nonprofit mailings consisting entirely of fund solicitations for these purposes. We estimate the exemptions may comprise 60 per cent of all third-class nonprofit bulk mail. We see no reason why a selected few of the eight types of groups which qualify for special low rates should be singled out for additional preferential treatment. We believe all nonprofit groups should pay a 1.9 cent minimum rate.

I have not tried to cite all the details of this far-reaching postal rate bill. Undeniably, the legislation before you encompasses a difficult set of problems. Nevertheless, we believe action must be taken soon so Congress may concern itself primarily with postal modernization and service improvement rather than operating deficits.

In my view, Mr. Chairman, the rate increases we proposed are the very least we need to maintain a viable, progressive mail service.

The American people are entitled to the finest mail service in the world. I believe that the intensified effort to move ahead through reesarch, and through mechanization and modernization, will bring us to the threshold of a new era in our postal history. My goal for the postal service of the future is one that I am sure I share with every member of this Committee; a postal service that operates at minimum cost and maximum efficiency; a postal service of which we can all be proud. I believe this new rate structure is a significant element in the attainment of that goal.

STATEMENT OF REPRESENTATIVE KEN HECHLER, DEMOCRAT OF WEST VIRGINIA, TO SENATE COMMITTEE ON POST OFFICE AND CIVIL SERVICE, OCTOBER 18, 1967

Mr. HECHLER of West Virginia. Mr. Chairman, I am not a member of the House Committee on Post Office and Civil Service, but have attended most of the House and Senate hearings on postal rates and have read all the testimony before both the committees. For seven years, I have tried to familiarize myself with third-class postal rates and have had numerous discussions with Post Office Department officials, private industry representatives, and have carried on a wide-ranging correspondence with interested senders and receivers of third-class mail.

In 1962, I sponsored an amendment to the postal rate bill to raise the bulk third-class rate from 2½ cents to 3½ cents, which carried in the House of Representatives but was mangled in the conference committee and phased down to the current rate of 2⅞ cents. Had the House rate of 3½ cents prevailed in 1962, I feel that the postal service and the budget would both be in better condition today.

Mr. Chairman, I believe it would be in the best interest of the postal service, the American people served by it, and our national economy if the third-class bulk mail commercial rate were set at 4.5 cents, instead of 3.8 cents as contained in the House bill. I commend this committee for its breadth of interest in calling the Director of the Bureau of the Budget to testify, as he did yesterday, because postal rates are and should be related to the entire fiscal and economic situation. We are in an entirely new economic ball-game from early this year when the President proposed the 3.8-cent rate on third class bulk regular mail. Budget Director Schultze clearly pointed out in his testimony yesterday that serious consequences would flow from continuing to run up a mounting postal deficit, at a time when the Nation is already threatened with inflationary pressures and high interest rates.

All you have to do is to take the arguments advanced by both the Budget Director and the Postmaster General, and you have an excellent case for the 4.5 cents rate on bulk third class commercial mail. Even though they would not depart from the President's recommendation, the facts they presented are conclusive support for the 4.5 cent rate. For example, Postmaster General O'Brien stated on Monday: "When postal rates are low in relation to other p ices, mail volume rises rapidly. And when such growth adds to postal deficits, I believe we have a greater responsibility to charge them to mail users rather than to the taxpaying public." And Budget Director Schultze underlined yesterday "the importance of maintaining the basic principle that Federal activities which provide business-like services should cover the cost of those services in the rates they charge, and not throw the cost on to the shoulders of the general taxpayer."

I was further impressed by Budget Director Schultze's statement that "the general taxpayer not be asked to subsidize those parts of the postal operation—and they are by far the largest part—which simply provide business-like services to industries and individuals."

The current rate bill will produce, when its rates become fully effective in 1970, a total of $890 million in additional income. Postal pay rises in the House-passed legislation will eat up $711 million of this amount. This means that after raising rates all along the line, the net effect of this House-passed bill will be to reduce the annual postal deficit by $179 million.

When you subtract public service costs from the net annual postal deficit of $1.2 billion, we find, as pointed out by the Postmaster General on Monday, that "the taxpayer is footing the bill for about $645 million of postal costs that should be paid by users of the mails." Now, with a net operating annual deficit of $645 million, it stands to reason that if you bring in a rate and salary bill which only cuts the deficit by $179 million, this still leaves us $466 million a year in the hole.

Mr. Chairman, under the circumstances, I believe it is the duty of the Congress to raise the rates further on second and third class mail. The third class mailers are frequently criticizing the fact that I concentrate on the need for raising third class rates, whereas the cost coverage of second class rates is lower. I would point out that an amendment which I sponsored was adopted by the House, placing a surcharge on second-class publications, about which I shall say more later. Also, I sincerely believe that some attention should be given by this committee to making a slight and additional increase across the board on all second-class publications. I think this should be done to produce a balanced rate structure. I will not mention a specific figure for adjusting the second class rates upward, because I feel I can produce some more substantiating testimony on the subject of third class rates, which I have analyzed more thoroughly.

Third class mail volume now accounts for 27% of the total mail volume, but produces only 16% of the total postal revenue. Over one out of every four pieces of mail is now third class mail, whereas 20 years ago one out of six pieces of mail was third class. From 1947 to 1966, the volume of bulk rate third class mail increased more than 250% while all other classes of mail were increasing in volume only 80%. The testimony of Postmaster General O'Brien before this committee has shown that (1) the low third class rates have contributed to the vast growth of the volume of third class mail; (2) past rate increases have not hurt the direct mail industry or the users of that service; (3) since 1950, the bulk mail volume has grown faster than our economy; and (4) direct mail has maintained its share of the advertising dollar.

Mr. Chairman, the House-passed bill will bring in a total of $234 million of additional annual revenue from third-class mail. If the Senate sets the bulk third-class rate at 4.5 cents for commercial mail, instead of 3.8 cents as contained in the House bill, and if comparable increases are made in other categories of third-class mail, there will be produced $370 million of additional annual income from third-class mail alone. What this means is that my proposal will bring in $136 million of additional annual revenue above and beyond the House-passed rates on third class mail.

For the record, here are the specific comparisons between the House-passed bill and the third-class rates which I propose:

[In cents]

	H.R. 7977 as passed by House		Hechler proposal	
	Mailed prior to Jan. 7, 1968	Mailed after Jan. 7, 1968	Mailed prior to Jan. 7, 1968	Mailed after Jan. 7, 1968
Individual piece	6	6	6	6
Additional ounce	2	2	2	2
Books, catalogs, etc	12	16	12	18
Other matter	18	22	18	24
Bulk rate, regular	2⅞	3.8	2⅞	4.5
Nonprofit	1.25	[1] 1.3	1.25	2.25

[1] For religious, health, charitable organizations and for fund-raising; all other nonprofit, 1.9 cents.

At this point, Mr. Chairman, I would like to discuss cost coverage for third-class mail. Assistant Postmaster General Ralph Nicholson has supplied me with an analysis which is based on the volume for the fiscal year 1968, and is adjusted to include two factors:

(1) the ZIP code savings to the Post Office Department as a result of ZIP coding by the third class mail users; and (2) the cost coverage adjustments after taking into consideration the pay increases included in the House-passed bill. Factoring in the features, the House-passed bill provides 82 percent cost coverage for all third class mail, while my proposals would result in a cost coverage of 91 percent. This figure includes a public service allowance for non-profit third class mail.

NONPROFIT RATES

During the House debate, there are several effective measures which were taken to defeat the raise in third class rates which I proposed on the floor. First, there was some heavy administration lobbying on behalf of the original rates proposed by the administration, and several of those who told me they would support the 4.5-cent rate were changed over to back the 3.8-cent rate. Second, there was some effective lobbying by the third-class mail organizations, many of whom got their local permit holders to wire and phone in at the last minute. There was no organized counter-pressure on behalf of the recipients of third-class mail. Finally, there was some effective last-minute pressure and deep concern expressed in the closing minutes of the debate on the effect of my third class rate rise proposal on non-profit organizations.

I share the concern of the Postmaster General and the Director of the Budget that the third class non-profit rates are split in the House-passed bill, in such a way as to give preferential treatment to religious, charitable and health organizations and those concerned with fund-raising. It seems to me that equity and postal policy both dictate that these third-class rates should be maintained at a level 50 percent of the commercial rates, a time-honored principle which was established by the Congress as part of the Postal Policy Act of 1958.

The splitting of the non-profit third class rates means that there would be only a token increase in that category of non-profit third class mail which constitutes 60 percent of the total volume. There would be only a nominal increase in the classifications of religious, charitable and health, plus fund-raising, of from 1.25 cents a piece to 1.3 cents. This represents little more than rounding off the figures so that they come to one decimal point rather than two.

Mr. Chairman, it is high time that the Congress face up squarely and unemotionally to the problem of rates for third-class mail mailed by non-profit organizations. It is high time that Congress should take a cold, hard look at the facts.

Since third-class mail was established as a special category in 1928, when Calvin Coolidge was President, the rates for bulk third class mailings by non-profit organizations have increased exactly one-fourth cent from 1 cent which they were in 1928 to 1¼ cents which they are now. In sharp contrast, over the same 39-year period, first class rates have shot up from 2 cents to 6 cents as now proposed. So first-class rates will be increasing by 200 percent in a period when non-profit rates are rising only 25 percent.

Contrast this with the cost of other items. In 1928, you could buy a pound loaf of bread for 9 cents; today, the cost is about 22 cents. In 1928, you could have a quart of milk delivered to your home for 14 cents, today, the price has doubled to about 28 cents.

VOLUME INCREASES IN THIRD-CLASS MAIL

As the postal rates for non-profit organizations remained extremely low, more and more non-profit organizations began to take advantage of the situation through larger mailings. These organizations now account for 17 percent of all bulk-rate third-class mail, as compared with only 8 percent in 1952. In the same period, the volume of non-profit third class mail has shot up 250 percent—from slightly over 800 million pieces to nearly 2.9 billion pieces of bulk-rate non-profit third class mail. Now let's contrast that with other third-class mail. During the same period since 1952, commercial bulk-rate third class mail increased 58 percent, while the total mail volume was going up 52 percent over the same period.

In addition to the volume increase in third-class mail, many new organizations appear to be getting in under the "non-profit" umbrella. The law defines a "qualified non-profit organization" as "religious, educational, scientific, philanthropic, agricultural, labor, veterans or fraternal organizations or associations not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual."

Many non-profit organizations are now mailing neckties, pins, souvenirs, and other items for which they are seeking monetary contributions. A number of these items are unsolicited. The increased volume of such unsolicited items slows the delivery of mail, and also competes with private enterprise firms forced to pay higher postal rates.

NONPROFIT RATES SHOULD BE 50 PERCENT OF COMMERCIAL RATES

When the commercial third-class bulk rate was raised from 2 to 2½ cents on July 1, 1960, the rate for other non-profit organizations went up from 1 to 1¼ cents.

But in 1962, when the rates for commercial mailings were raised in stages to their current bulk rate level of 2⅞ cents, the bulk rates for non-profit third class mailings remained frozen at 1¼ cents. In addition, the 1962 legislation actually *reduced* the non-profit bulk pound rates by about 40 percent. This was accomplished by reducing the pound rate on circulars mailed by non-profit organizations from 16 cents to 9 cents, and on non-profit books and catalogs from 10 cents a pound to 6 cents a pound.

I feel strongly that we ought to return to the policy established in the Postal Policy Act of 1958—that rates for non-profit organizations should be 50 percent of the rates for commercial mailings. That is why my proposal calls for a bulk rate of 2¼ cents a piece for non-profit organizations, and 4½ cents a piece for commercial bulk mailings.

Several critics have pointed out that percentage wise the rate increases for non-profit organizations are steeper than for commercial organizations. But that is only because these rates are initially so low. As Postmaster General O'Brien very fairly pointed out in his testimony on May 9 before the House Postal Rates Subcommittee: "Even with the proposed increases such organizations would still maintain large and valuable postal preferences. Currently, the public service cost of handling nonprofit mail exceeds $200 million yearly, nearly 40 percent of all public service costs."

ADVISORY PANEL ON POSTAL RATES

In 1965, the Advisory Panel on Postal Rates, headed by former Representative Robert Ramspeck of Georgia, made some very pertinent observations on postal rates for non-profit organizations:

"We question whether these subsidies should be intermingled with postal rates. If there is merit in these subsidies, they should be identified and included as direct payments from the budgets on the Federal agencies charged with overseeing public welfare activities. Since rate policy and subsidies are now commingled, the Postmaster General is in a position that compels him to propose rates based on extraordinary welfare considerations as well as on conventional value-of-service and cost criteria. . . . Funds for subsidies should be provided by direct appropriations, to the agency overseeing the welfare activity, rather than as a hidden cost in the postal budget."

Philosophically, the increasing subsidy to the non-profit organizations has disturbed thoughtful students. What it means is that the general taxpayer is forced to pay to make up the postal deficit due to causes in which he may not believe. "Why should I be taxed to subsidize someone else's religion?" pertinently asked a writer from Pittsburgh. The question well might be raised also whether the Post Office Department, with the prime responsibility of delivering the mail on time—which it increasingly finds difficult to accomplish efficiently and speedily—should also be burdened with extending assistance to all sorts of causes.

Many non-profit organizations send through the mail articles of merchandise and ask for a contribution. Mr. T. A. Hamilton of Louisville, Ky., probably spoke for a great many people when he wrote: "I have nothing against charitable organizations. However, I believe that our giving to such organizations should come from the heart, and should not be placed under the pressure of modern-day merchandising."

Under the current rates, it is really fantastic what and how much a non-profit organization can mail. Up to eight publications can be mailed by these organizations under the non-profit second-class rates for as little as one penny. Furthermore, there is no extra charge for long hauls. For one penny, the post office will take these eight publications mailed in New York and deliver them in Hawaii.

If a non-profit organization wishes to make a fund solicitation through third-class mail, the post office will deliver four fund solicitation letters for only a nickel. These rates have been the same since 1962, although other postal rates were raised in that year.

The postal deficit which is caused by third-class mail sent by non-profit organizations has been rising. The difference between fully allocated costs and the revenues received from non-profit third-class mailings was $58 million in fiscal year 1963. These costs rose almost 62 percent in three years for a total of $94 million is fiscal 1966, and are now estimated to be running at a rate of about $100 million a year. The deficit caused by second-class non-profit mailings has risen to about $110 million per year. This means that the annual deficit of second and third class non-profit mailings runs over $200 million annually.

I trust that the Congress will face up to this problem directly and raise the rates on non-profit mailings.

I have long been disturbed by the fact that our postal rate bills are fashioned with an eye to the mailers of third-class mail, instead of the recipients of third-class mail. There has been much comment about whether or not people like to receive third class mail. The direct mailers tell you that little old ladies would be lonely if they didn't receive such mail. I received one letter from a dear old lady who vigorously protested because she could not get her husband off the mailing list of several organizations despite the fact he had been dead for eighteen years. The lady lives in State College, Pa. She sent me a copy of the form letter she had received when she sent several requests to take her husband off the list. Her name and address were typed in at the top of the form letter, which stated that they had received her request and if she received future mailings would she kindly ignore these mailings.

Mr. Chairman, the impudence of these direct-mail organizations not only makes them a nuisance in their utter refusal to drop names from their mailing lists, but it further infuriates the taxpayer when he realizes that part of his taxes go to subsidize low third class rates. Also, the average user of the first class and air mail letter bitterly resents the fact that the first class mail user helps carry the third class mailer on his back.

There have been many statements about public opinion on this issue. One of the best was made before this committee on Monday when Postmaster General O'Brien noted: "My reading of public sentiment indicates there is a widely-held belief that bulk mail rates should be well above present levels, even higher than those we proposed to the Congress. I am also firmly convinced that the general public is willing to pay its fair share of higher postal costs. But the public is adamantly opposed to higher rates for letters unless bulk rate matter pays substantially more than its present postage."

The National Federation of Independent Business completed a nationwide poll in June of this year, specifically directed at my proposal to raise third class rates to 4.5 cents. A total of 82 percent supported my proposal, 15 percent were opposed and 3 percent were undecided. In its press release announcing these results, the National Federation of Independent business made this comment:

"It has long been held that third-class mail is the mainstay of the advertising activities of smaller business firms, thus the heavy support for raising the rates on this class is considered to be somewhat of a surprise."

There have, of course, been many statements and charges made that the rates which I propose would drive people out of work, close up and bankrupt businesses, etc. There is a full-page ad in Roll Call, April 13, 1967, entitled, "The Big Lie Technique", which states "Congressman Ken Hechler is leading the newspaper fight to price third-class mail out of the postal service. . . . By using Herman Goering's big-lie approach, certain publishers hope to convince the American people that direct mail advertising is not selling $40 billion worth of goods and services annually. They refuse to report the fact that the 275,000 third-class permit holders in the fifty states help keep from three to four million Americans profitably employed."

First, I would like to state that if this is indeed a $40 billion a year business, showing substantial profits, it should not expect to continue to receive subsidies from the taxpayers. Second, so far as the employees of the direct mail industry are concerned, I do not believe we should turn our postal service into a welfare agency whose function is to keep people employed; the function of the postal service should be concentrated on quick and efficient delivery of the mail. Third, so far as pricing third class mail out of the postal service, the record is replete with examples of how the dire predictions of the past failed to materialize. In 1958, before this very committee of the Senate, Harry Maginnis, head of the Associated Third Class Mail Users, predicted that if a rate of 2½ cents a piece went into effect "the annual volume of third class mail would not remain at 16 billion pieces. . . . It is my firm opinion that third-class mail volume would drop to 10 billion pieces under the impact of the $25 per thousand rate." The rate was hiked to 2½ cents, and third class mail volume, contrary to Mr. Maginnis' dire predictions, rose to 16.9 billion pieces in 1959, and 17.9 billion in 1960, and is now well over 20 billion pieces annually despite an even higher rate. Finally, I feel that we ought to measure well our words when we talk about concerns going out of business. What business in the world could survive the annual deficits being suffered by the Post Office Department, excluding its public services? Why should the taxpayers keep picking up the tab to keep the Post Office budget balanced, when tax dollars are really going into the coffers of the direct mailers? We ought to be more worried about the Post Office Department itself going out of business when it practices the outrageous economics forced on it by the direct mailers.

THIRD-CLASS MAIL AS VIEWED BY POSTAL EMPLOYEES

Senator Boggs raised some interesting questions yesterday concerning the impact of third class mail in smaller post offices. Not long ago, I asked a number of postmasters, clerks and carriers throughout West Virginia to write me their thoughts on how third class mail was handled. Out of approximately 250 replies, only three felt that the current rates and manner of handling third class mail were adequate, and a huge majority expressed themselves quite emphatically on the subject.

Fred T. Newbrough, Postmaster at Berkeley Springs, W. Va., writes: "I will soon start my thirty-fifth year in the postal service, which has included clerk, assistant postmaster, postal inspector and postmaster. . . . The delivery of third class mail does disrupt the service and I have not found a rural carrier who likes it. Furthermore, it is a cause of annoyance to about half or more of our patrons. Some request us to do what we cannot do: throw it in the wastebasket and not deliver it. Those who get mail through lock boxes stand in the lobby and sort out the circulars and throw them in the wastebasket. This is another time we handle it—at the incinerator."

Francis A. Atkins, Postmaster at Sutton, W. Va., writes: "To say that third class never interferes with or slows the delivery of first class is not correct. As a former postal clerk and mail dispatcher, I can personally say that I would much prefer to handle classes of mail I felt people wanted. To deliver a letter from a soldier in some faraway place to see the happiness in the eyes of a grandparent when they get a note from that grandchild who is just learning to write, that is personal satisfaction to postal people. In discussions with my clerks and carriers, I find that they feel they are not really serving the public and giving of themselves when working third class."

Donald M. Foley, rural carrier at Waverly, W. Va., writes: "I have been a rural carrier for 25 years. In more than 25 years, I have not heard a postal worker, other than one inspector who said there was no such thing as junk mail, say anything in favor of this class of mail. I am much in favor of letting the mailers pay the full cost of handling the mail. I mentioned this to one lady, who said she thought they should have to pay the full cost of handling the junk, and then pay her a little something for carrying it from her box and burning it."

A. A. Farmer, Postmaster at Bolt, W. Va., writes: "Today was a typical day of 'junk mail', so your letter of interest was very much appreciated. I would estimate that I worked 80 percent longer distributing the circulars to the various boxholders, then 15 minutes later the majority of the junk mail was deposited in trash cans for my disposal. The patrons appreciated my efforts so much that they let me burn their trash."

M. V. Finney, Postmaster at Dixie, W. Va., writes: "We have not learned to like such mailings, and find that extra time is consumed when we have to fold off-size pieces of bulk mailing before casing them."

Helen V. Horton, Postmaster at Slab Fork, W. Va., writes: "Third class mail requires as much and sometimes even more time than first class mail."

Donald O. Lewis, Rural Carrier on a Huntington, W. Va., route, writes: "Box-holder mail is, I guess, the worst kind of mail sent. I have received several letters from people on my route asking me to leave no more JUNK of this type in their box. Wish I could comply. Some in the extreme rural areas have asked me not to leave the slick kind; it doesn't wipe well. I have 600 boxes on my route, and am allowed only 24 minutes extra to deliver 'box-holder' mail. Sometimes I get disgusted the next day when I see these advertisements scattered along the highway."

Ray H. Maxwell, rural carrier, Friendly, W. Va., writes: "There are too many mailers who abuse the right to send third class mail, and there is no question that at least 50 to 75% of this class mail is never opened. All one has to do is look in the wastebaskets at the various post offices."

Cecil B. Niswander, Postmaster at Lesage, W. Va., writes: "Lesage is a country post office, and we have a good number of our patrons who come in every morning, and while they wait for their mail they talk. This is a subject that comes up daily for discussion. I am of the opinion that if the mailers of the advertising material could listen in on these discussions of their mail, there would be much less junk mail . . . I doubt that as much as 10 percent of this mail is read by these patrons. I notice that when we burn the trash most of it is still sealed . . . This mail does cause delay in the delivery of first class mail. The rural carrier could case all the first class mail that we receive here within an hour of receipt, but the third class mail takes more time than all the other classes combined. There is a lot of complaining from the carriers over the ever-increasing volume of junk mail."

SURCHARGE ON LARGE-CIRCULATION MAGAZINES

I would like to add a few words on the amendment which I sponsored and which passed the House to place a surcharge of .3 per copy on all magazines whose circulations reach 500,000. This surcharge starts with the 500,001st copy, and does not apply to nonprofit publications. Also, all copies at additional entry points would pay the surcharge. A calculation of the exemption will be made only at the post office of original entry. Thus if a magazine publisher deposits 1 million copies at the point of or final entry, he gets an exemption for 500,000 copies and pays a surcharge on the remainder. If his total mailing through all entry points is 1 million copies, but he mailed only 400,000 copies at the original entry point, the only exemption he gets is for the 400,000 copies at the original entry point.

The reason for this procedure is to avoid the administrative complexity of consolidating information from all entry points before assessing postage.

STATEMENT OF CHARLES L. SCHULTZE, DIRECTOR OF THE BUREAU OF THE BUDGET BEFORE THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE OF THE U.S. SENATE, ON POSTAL RATE INCREASES

Mr. Chairman and Members of the Committee:

I appreciate this opportunity to appear before the Post Office and Civil Service Committee to participate in your consideration of an increase in postal rates. In his Budget Message last January, the President stated: "To provide improved services, to cover proposed pay increases for postal workers and largely offset the remaining postal deficit, a postal rate increase is both necessary and desirable." Subsequent economic and fiscal developments lend even more urgency to that recommendation for rate increases than it had in January.

I do not profess to be an expert on postal rates, and therefore I will leave a discussion of the specific structure of the rate increases to the Postmaster General and his staff. My major concerns are two-fold:

First, the general economic consequences of continuing to run a very sizable postal deficit in a period when the Nation is already threatened with inflationary pressures and rising interest rates; and

Second, the importance of maintaining the basic principle that Federal activities which provide business-like services should cover the cost of those services in the rates they charge, and not throw the cost on to the shoulders of the general taxpayer.

CURRENT ECONOMIC AND BUDGET SITUATION

As I pointed out to the Committee earlier this month, when I testified on the Pay Bill, the fiscal situation has become much more difficult since the budget was transmitted last January, with the Federal deficit sub-

stantially larger than originally estimated. At the same time, the economy is moving ahead sharply, and the signs indicate that its advance is accelerating, as we had originally projected.

The level of personal income has been rising rapidly in recent months. So, too, has the index of industrial production. Employment has been increasing and recently the workweek has been lengthening. Retail sales have been advancing at a healthy clip, and numerous other signs of an accelerating economy can be cited. Figures released last week showed that even with the Ford strike, the Nation's gross national product rose quite sharply in the third quarter of this calendar year, resuming a rapid upward advance after two quarters of much more modest increase.

The combination of a sizeable budgetary deficit and a rapidly advancing, fully-employed economy presents an inflationary potential that we clearly should not allow to become a reality. Rising prices, soaring interest rates, and a deteriorating balance of payments situation would place far heavier burdens upon the American people than will the measures needed to prevent their occurrence. These threats to the economic health of the Nation call for continuing expenditure restraint and control on the part of both the Administration and the Congress, coupled with the tax surcharge the President has proposed.

The continuation of a large postal deficit would contribute to the general economic problem facing the Nation in two ways:

1. By adding to the overall Federal deficit in a period of high-level and sharply rising economic activity, the postal deficit contributes toward an overheating of the economy, and consequently toward the building up of excessive wage and price increases.

2. By swelling the amount which the Treasury has to borrow from the public—at a time when private borrowing is itself very large—the postal deficit contributes toward tight money and rising interest rates. In turn, when credit tightens and interest rates on short- and intermediate-term securities increase, funds which would otherwise flow into savings institutions serving the housing market tend to be diverted to other uses. Home-building, as we witnessed last year, is especially vulnerable to rising interest rates. On the basis of last year's experience, it is entirely possible that a continued rise in interest rates could easily reduce the building of new homes by one-half a million units.

This is not a time for the Government to be running a large postal deficit when there is a reasonable alternative.

POSTAL RATES AND THE EFFICIENT OPERATION OF GOVERNMENT

The Post Office plays a dual role in affairs of our Nation. *First*, it is one of the Nation's most important business activities, providing a vital and irreplaceable Nation-wide communications network for both industry and individual consumers. With annual sales now approaching $6 billion, it ranks in size with the very largest corporate giants. *Second*, the Post Office has also been a means by which the Nation has subsidized the costs of certain educational, non-profit, and other activities, by providing its services at below-cost rates to designated groups.

Although the postal establishment performs certain public service functions (roughly 10 percent of total operations in terms of costs), it is also a giant business whose operations are completely interwoven with operations of our whole national economy. It is difficult to conceive of any activity in our economy that does not find the services of the Post Office essential. Its relationship to the operation of the national economy is indicated by the fact that 80 percent of the mail is generated by businesses or institutions.

The Postal Policy Act recognizes the dual public service-business role of the Post Office by providing, on the one hand, for contributions from general tax revenues in support of specifically designated public service activities, and, on the other hand, for postal rates, collectively, which will produce revenue approximately equal to the remaining costs of postal operations.

It is possible for reasonable men to disagree with particular aspects of the Postal Policy Act and the manner in which the Act should be implemented—for example, the particular designations of public services, the amount of public service subsidy, the distributions of rate burden, etc. However, I believe that the general concepts stated in the Postal Policy Act are sound, and should be strongly supported.

Where the Congress has decided that specific subsidies to particular users of postal services are in the broad national interest, then it is indeed perfectly proper that the deficit in postal operations on account of such subsidies should be borne out of general Treasury funds, and shouldered by the general taxpayer—exactly on a par with subsidies or assistance of other kinds which the Congress has enacted.

At the same time, it is equally important that the general taxpayer not be asked to subsidize those parts of the postal operation—and they are by far the largest part—which simply provide business-like services to industries and individuals. The heart of our free enterprise system is the market price mechanism.

It is generally the most efficient means society has yet devised to regulate the production and distribution of goods and services. We often find it desirable to modify this mechanism for sound national purposes—for example, by providing low-interest-rate loans for rural electrification, or food for the poor through the Food Stamp Program. But it is neither efficient nor equitable to require the taxpayer to underwrite below-cost services in *general*—we do not provide a general subsidy for everyone's electric bill, or food bill, or his haircuts and shoe-shines. In short, the principle of charging full cost for *general*, business-like services, and providing subsidies for *specific*, carefully designated public objectives is an eminently sound one. It is consistent with both a progressive social policy and a sound, business-like economy. Continuation of a large, general subsidy to mail users violates this principle and introduces serious distortions into the use of economic resources.

Failure of the postal rate structure to cover its non-public service costs not only distorts economic efficiency in the short run; it is also a heavy deterrent to long-run improvements in postal service. A losing business is seldom the most attractive place to invest one's money. And the general taxpayer ought not to be asked to do so.

As an essential and integral part of our business and institutional activity, it is imperative that the Post Office perform its mission as efficiently and effectively as possible. There is no denying the fact that the Post Office today is not operating at optimum efficiency. In large part, this is due to a lag in accommodating postal operations to modern technology and in providing adequate facilities for the processing of mail. Certainly, no one recognizes the defects in the postal system more clearly than the Postmaster General, and he is initiating energetic and imaginative action to correct these defects.

However, correction of postal deficiencies will require major infusions of capital for research, equipment, and facilities, which can be provided only through appropriations from general tax revenues. The Postal Policy Act contemplates that capital investment in the postal system will be recovered through annual depreciation charges included in the costs upon which rates are based. If rates are not set at levels which provide revenues sufficient to cover costs, as defined in the Act, the Post Office Department is in the difficult position of asking for large appropriations for capital investment at the same time an appropriation must be made to cover a postal deficit.

In view of the many demands upon our tax resources, and the clear commitment to recover postal costs from mail users, the existence of a large postal deficit can only have an adverse effect upon the level of appropriations for capital investment, and make it more difficult to overcome the deficiencies in the postal service.

When postal rates are not sufficient to cover costs, we are asking the general taxpayer to invest his tax money with the certain guarantee that he will take a loss. I see no more reason for him to be willing to do this than he would want to invest in a steel mill, a telephone company, or a trucking firm whose prices were set below cost.

In brief, long-run improvement of the postal system—both the quality of its service and the efficiency of its operations—requires capital investment. Establishment of rates sufficient to cover costs should significantly improve the chances of securing the needed investment funds. In turn, these funds can contribute toward an increase in postal efficiency, and thereby reduce the magnitude of rate adjustments in the future.

CONCLUSION

To sum up, I believe the current situation calls for strong efforts to dampen inflationary trends—the "inflation tax" which the President has called "the cruelest tax of all." As part of these efforts, we must have responsible fiscal action to avoid an excessive budget deficit. Enactment of the proposed postal rate bill will contribute importantly to this end.

From the standpoint of the postal service itself, failure to charge rates sufficient in the aggregate to cover non-public service costs can only lead to a distortion of sound economic principles and a misallocation of scarce national resources. Equally as important, the continuation of large postal deficits makes it exceedingly difficult to provide for improvements in postal service and efficiency. By this route, failure to cover today's postal deficit helps to create still further deficits tomorrow.

I hope the Members of the Committee will act promptly and favorably on the postal rate legislation before you.

CONFERENCE REPORT ON APPROPRIATIONS FOR THE DEPARTMENT OF TRANSPORTATION

Mr. EVANS of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. EVANS of Colorado. Mr. Speaker, I rise to deplore the omissions I find in the conference report on appropriations requested by the Department of Transportation. I am particularly concerned that we find ourselves where we were every year in the past when it comes to allocating funds for development of a workable transportation system.

The bill is heavily weighted in terms of development of air and highway travel. I do not object to the Federal involvement in air and highway transportation, but I do protest the tremendous inequity that is present in this conference report.

We are near the billion-dollar mark in annual expenditures to fill the air with jets and the countryside with jetports. Another $142 million is in this bill for the development of a supersonic transport.

On the highways we are spending nearly $150 million annually, not counting the nearly $4 billion in highway trust funds pumped into the roadbuilding program every year.

Yes, I agree most of this is necessary in a country that is still experiencing fantastic growth. But, I raise the question, "Are we right in overfilling airspace and jamming the countryside with roads and highways, while we ignore the mass movement of passengers by rail?" I know we are looking into mass transit facilities for urban areas, but there is also the problem in the intercity area which is going largely unnoticed.

This is clearly evident in the report of the conference committee. In 1965, under the High-Speed Ground Transportation Act, we embarked on a major program to revitalize and restore ground transportation, including the railroads, to a point where the public would patronize the service. The goal, as I recall, was to move forward in transportation on all three modes—air and highway, which we do with expensive regularity, and by ground transportation, which until 1965, was left to survive on its own.

Most of you know railroad passenger service is not surviving. Withdrawal of most first-class mail from passenger trains has set off a new round of train discontinuance cases. If your mail is like mine, you are well aware of the problem. I might say that it is a problem that this Congress must be prepared to face and soon.

My attention today is directed toward the deletion of all funds from the Department of Transportation's development of an auto-on-train service in the Office of High-Speed Ground Transportation.

Very briefly, the auto-on-train project involves the carrying of autos and passengers on specially constructed rail cars. Passengers ride in the automobiles or in special entertainment or dining cars in the train. Cost of the movement of a family of at least four and their cars would be $100 from Washington to Jacksonville, Fla. We have already invested $2 million in the project, but the Office of High-Speed Ground Transportation will have to hold off on any further planning and development.

I personally hope that this same issue is presented to us again next year. I see in it a positive approach to solving the passenger train problem, and to me it makes a lot of sense. A family of four or more could go to Florida, California, the Northwest, and maybe even to Colorado, if they had the advantage of low-cost rail travel and use of their own car at their destination. Thousands of people and hundreds of cars would be on trains and off the highways.

The $3.5 million requested for the program by the Railroad Administration would pave less than 2 miles of interstate highway or build part of a jet runway. It is indeed a tragedy that we cannot spend a few dollars to upgrade railroad passenger service—to give it a new look and new interest to the traveling public. To do so would make every dime we spend on highways and airports that much more meaningful, because highways and airports would then be able to handle the number of cars or people they were designed for. I ask that you keep an open mind on the question of improving ground transportation so that when we next consider the problem—and I am sure it will be an issue before us—you will remember that there are immediate answers to the upgrading of rail service. My last concern is that we—in not acting today to keep the auto-on-train program alive—may be too late when another 50 or 100 passenger trains are no longer in operation.

SOVIET EXPLORATION OF SPACE

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, yesterday morning the news was flashed across the world that the Soviet Union has successfully soft-landed a spacecraft on the surface of the planet Venus.

Following close behind is our own Mariner Venus capsule, guided to pass today within approximately 2,500 miles of the planet, then to go into solar orbit.

Mr. Speaker, I want to point out to the Members of the House as forcibly as I can that the Soviet Union has accomplished a feat in the exploration of space which is truly a demonstration of great technological capability.

That event should dispel any notion in the mind of any Member that the Soviet Union is retarding the tempo of its program of space research.

This achievement makes it unquestionably clear that we are still in a contest of scientific research and applied technology with Russia in which we enjoy no permanent advantage.

The Soviet engineers were able to launch a 2,438-pound spacecraft that traveled for 4 months through space and traversed over 213 million miles.

They were able to pinpoint a target 43 million miles away with a diameter of less than 8,000 miles, and then land the payload gently on the surface.

That nation has obviously developed the components and the electronics that are able to furnish and transmit data in a very hot environment.

The Soviet Union is processing data on the planet this Nation has not yet been able to obtain, and which is revolutionizing the knowledge of Venus and the solar system.

With a gross national product of approximately half of this Nation, that country is spending about the same amount of money on space exploration we are.

This is a measure of the importance that nation attaches to space research and the development of space technology.

In commenting on the outstanding Soviet achievement, the Administrator of the National Aeronautics and Space Administration, James E. Webb, said:

> The Soviet announcement that they have made a soft-landing on the planet Venus represents an accomplishment any nation can be proud of.
>
> To go from Sputnik I to Venus IV in 10 years illustrates the powerful base of technology being developed in the Soviet Union.
>
> The fact that this has been accomplished in connection with the 50th anniversary of the Communist revolution is intended to encourage those in and out of the Soviet Union who believe the use of rocket technology to master and use the newly opened environment of space can become a major factor in the balance of technological power among nations.
>
> In my view, this accomplishment will convey the intended message.

I feel it most important, most urgent to remind this House that scientific research in space demands the development and creation of unprecedented capabilities in areas of major technologies.

I also want to point out to the House that the changes of political climates, that a reduction of Soviet truculence toward the Western World has not altered one iota their principal aim—the destruction of democracy and the elimination of the capitalistic system.

We cannot, to our peril, allow our arch competitor to enjoy an advantage in a field of major technology that we cannot match or counter.

We must not, through default or because of transitory, shortsighted judgments, fail to support adequately our programs of space exploration.

I leave these thoughts with you to think over in the months to come.

Budget considerations for the coming fiscal year are not very far away.

Mr. Speaker, I hope the Members will think long and hard with regard to our national stake in our space program and its vital importance to our future in this deadly competition.

There are no consolation prizes for the loser.

AMBASSADOR EDWARD A. CLARK

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, at no time in the history of Australian-American relations have the ties between our two countries been closer.

American and Australian servicemen in Vietnam are fighting a common peril and threat to the free world at large.

In commerce and industry, in agriculture and exploraton of natural resources, in the relations between the Governments and the peoples themselves—never before have two nations been closer than ours for their mutual profit, prosperity, advancement, and, indeed, survival.

There is no doubt in my mind that the prime architect of this significant intensification of collaboration between the United States and Australia at this time has been my fellow Texan U.S. Ambassador Edward A. Clark.

It was most pleasing, therefore, to read in the Sunday New York Times Magazine a recap of Ambassador Clark's diplomatic mission since he was appointed to the post.

This excellent article was written by Harry Gordon, assistant editor of the Melbourne Sun, and graphically details the hard work Ambassador Clark has poured into his responsibility.

I insert the article at this point in the RECORD.

The article follows:

WHEN A TEXAS-STYLE DIPLOMAT HITS AUSTRALIA

(By Harry Gordon)

CANBERRA.—The bus pulled up outside the large red-brick Georgian building, and the driver called out, "Okay, then. Everybody out for the American Embassy." The tourists spilled across the sidewalk and into the marble-floored entrance, between framed replicas of the Declaration of Independence and the Bill of Rights. They emerged on the other side of the hall, trooped across a formal garden and reached another front door. A rich Texan voice boomed: "Well, howdy, folks. I'm the Ambassador, and this here is Missus Clark. Just take your time looking around, and ask me anything you want. It'd make me very happy if you'd all accept a Texas yellow rose and some literature about my home state."

The Hon. Edward Clark, Ambassador for the United States of America in the Australian capital city of Canberra, was wearing a yachting jacket that day, with a yellow rose in the lapel and watch chain that carried a golden miniature map of Texas; when he lifted his arms wide or pointed to his treasures—"That there's a Pic-cass-ee-oh, and here's a chart showing all the oldest houses in San Augustine, Texas," he revealed bright blue, three-inch-wide braces, decorated with reindeer.

Afterwards, the tourists marched back to the bus, loaded with little yellow roses, bundles of booklets and a mild air of bewilderment. They had just been hit by Hurricane Ed, and this can be an overwhelming experience. He had kissed babies, posed for snapshots beside his elm tree ("Miz Eleanor Roosevelt planted that") and extracted sincere, puzzled promises from a bunch of Indonesian students that they would visit his home in San Augustine. Other passengers had been treated to a series of jokes ("So President Lincoln said, 'If you-all think General Grant's drinking too much, I just wish you'd find out what brand he's drinking . . . he's the only one we got who's winning' "), and still others now possessed recipes for mixing drinks from bourbon, a potion not easily available in Australia.

The next stop on the bus tour was at the Japanese Embassy, and the disembarking tourists were disappointed to find that nobody was waiting at the front door to greet them. "Where the heck's the Ambassador?" asked several passengers of a butler who had obviously been told to keep an eye on the silverware and the ashtrays, but the butler remained silent and inscrutable. Nor were the tourists howdied at the British, the French and the German Embassies. At the Soviet mission's building, the bus did not even stop.

The bus jaunt around Canberra's embassies that day in 1965 had been organized to raise money for the Red Cross, and it was quite successful. But it did not endear Ed Clark, the newly appointed United States Ambassador, to all members of the resident diplomatic corps. What was the man trying to do, some of them asked, turn the place into some kind of fairground stall? Did he think he was running for office? Today Clark grins proudly as he recalls that the man who was then Prime Minister of Australia, Sir Robert Menzies, took him gently aside and told him: "You keep that stuff up, Ed, and they'll throw you out of the ambassadors' union."

In fact, Ed Clark has kept up the practice of meeting tourist coaches; he is, of course, the only ambassador in Canberra to do so. He shook hands with nearly 2,000 on that first strenous, memorable Red Cross day, and his personal howdy-total (after two years in the job) is something over 14,000. So far, nobody has tried to throw him out of the ambassadors' union; indeed, most of his fellow diplomats have come to regard him with deep affection—although he is still apt to make the more pukka of them wince when he calls a greeting like "Howya, Charlie, y'ole hossfly," at a cocktail party.

Clark, at 61, is one of the United States Foreign Service's most unusual exports, and he is undoubtedly the leading character in the Australian national capital. Canberra (pop. 100,000) is a beautifully laid-out, rather staid city, which possesses a well-defined Establishment whose members come from the Australian National University, the diplomatic corps, the civil service and the Houses of Parliament. The pattern of living inside this Establishment is quite formal; with the bulky exception of Ed Clark, it has included only two really colorful ambassadorial characters in recent years. One was a Malaysian who disappeared mysteriously last year for nine days after striking up a friendship with a King's Cross (Sydney) stripper; the other was an Indonesian who insisted on performing somersaults in his garden each morning, clad only in a sarong. Both have now returned to their homelands, leaving Clark undisputed as the most refreshing personality in the rather pompous protol-conscious diplomatic round.

Clark is a large, 200-pound extrovert who rambles at formal functions through an apparently endless supply of folksy, cracker-barrel, Texas-flavored stories. He has been branded a clown by some critics, and "Mister Ed" (after TV's talking horse) by others. He has certainly talked a lot, often in Texan superlatives, and he has a formidable reputation as a backslapper; he has dropped a few diplomatic clangers, is reputed to own the loudest (and thus least diplomatic) whisper in Canberra, and has shown an almost pathological determination to view the world through yellow-rose-colored glasses. His obsession with that Texas bloom asserts itself in many ways; at a conservative estimate, he has handed out some 50,000 of them; he rarely is without one in his buttonhole; there is, in fact, a rumor that he wears a yellow rose in his dressing gown lapel. He has 850 yellow rose bushes in his 10-acre gardens at the embassy, and when these are out of season he goes to extraordinary lengths to keep up the supply—he has even had them flown, packed in ice, from Texas.

This past Aug. 26 he sponsored Australia's first Texas race meeting in Canberra. Events included the election of a Yellow Rose Maiden, the Lone Star Flying Handicap, the Texas Handicap, the San Augustine Improvers' Race and the Austin Progressive Handicap. The Ambassador and his Chinese butler Huong dispensed bourbon and yellow roses to special guests under a flagpole from which fluttered the flag of the Lone Star State. The winning jockey in the Texas Handicap received a decanter full of bourbon and the lucky horse a garland of 300 yellow roses flown specially from Texas. Some of them, it ate.

It would be wrong to describe Clark as a discreet conversationalist at cocktail parties. He has been heard to say of one nationality, "They're not like Australians . . . they put their hand out to you, but it's not for shaking." And again, "Y'know, if you were on fire, those guys wouldn't even bother to extinguish you." (In truth, he expressed this sentiment a little more bawdily.) He prefaces many remarks with "Shoot, man," says "you-all," refers to himself as "Ah" and shortens the word "mister" to "mist" or "mizzuh."

In a quiet way, he has managed to match his wardrobe admirably to his personality and his vocabulary. Not long ago he astonished natives in a New Guinea marketplace by arriving in a Stetson—and when he adjusts his bowler at a jaunty angle, low over one eye, he immediately takes on the look of an aging but enthusiastic vaudeville comic. He is not a wild dresser; but in striped pants, cutaway, silk topper and other formal gear, he always gives a mischievous, Groucho Marx impression of someone who has been playing at dressing up.

All of these things would seem to make Ed Clark rather unlikely ambassadorial material—and there is no doubt, frankly, that he is. He has been the target of a good deal of unsympathetic criticism. It is significant, though, that most of the criticism occurred soon after the Ambassador's arrival, when the general impression was that this was a noisy, over-jovial extrovert who had blundered, by reason of a close friendship with President Johnson, into diplomacy. Some of his most vehement early critics are now quite fervent admirers.

The most blistering early attack came from Douglas Brass, editorial director of Australia's only national newspaper, The Australian, and a columnist for that paper. A month after Clark presented his credentials in Canberra, Brass wrote: "He obviously has a heart of gold, but there's no disguising that the new American Ambassador to Australia is something of a disappointment. The general impression in the capital is that if Mr. Edward Clark has any talents to match the significance of his post, he does his genial best to conceal them. It is grossly undiplomatic to say these things—but diplomacy is no more my business than Mr. Clark's; and I think it tragic that the United States Administration should have so little regard for us as to send a folksy gladhander to Canberra at a time of mutual delicacy, in war, investment and trade. . . ."

Exactly six months later, Douglas Brass wrote about Ed Clark again. He recalled his charges that the Ambassador was a folksy gladhander with no talens for what should be an important job, and then he went on: "I eat my words now. Mr. Clark, though he still loves to clown in public, has endeared himself to Canberra as a very shrewd operator and genuine friend of this country. I can do no more than acknowledge it, and nobody has asked me to do it."

In the past couple of years, many revised their first unflattering opinions of Ed Clark, and it is no exaggeration to say that he is now regarded as the most successful Ambassador the United States has ever sent to Australia. The Premier of the state of Victoria, Sir Henry Bolte, says candidly: "No other American representative has attempted to learn about the country and know the people the way Ed Clark has. Never before has the U.S. been so well represented—and with our alliance in Vietnam, our closer trade ties and the growing U.S. investment in Australia, that representation has to be good."

How has Clark, the clown in the Stetson, done it? By displaying a massive appetite for work and a determination to see every one of Australia's 3-million square miles, by being totally sincere, by being closer to his head of state than any ambassador in the

country. He has surrendered none of his flamboyance, and his extravagant behavior still causes a few shudders among the professional diplomats; but his overall performance has been so impressive that a member of his staff was recently moved to remark, "If this guy's not a professional, I just hope he never loses his amateur status."

It is hard, of course, to estimate the quality of an ambassador's work. His basic jobs are to feed information back to his government and to build goodwill between the two countries concerned. While there is no reliable gauge available to assess the quality of Clark's reports, it is known that last year, when President Johnson asked his ambassadors to poll the governments to which they were assigned on whether the U.S. should bomb Hanoi and mine the North Vietnamese port of Haiphong, Clark's reply was reported to be on the President's desk 10 days before the next reply was received.

In the field of goodwill, there is no doubt that the man has been immeasurably successful. Along with all the homilies, the platitudes and the Texas hokum that he dispenses comes a great deal of genuine warmth—and Australians, who normally distrust wordiness have reacted well to him. They know that he has become a potent salesman in America for Australian trade, travel and investment.

"I asked the President just before I came out here what I was supposed to do," says Clark. "The President, he says, 'I want you to spread yourself around, Ed. Don't get stuck in no martini belt. Don't confine yourself to the striped pants circuit. I want you to go out and meet these people. And I want you to tell us everything about Australia . . . what they're thinking, what they're doing, how stable they are, how friendly they are.'"

That Clark has followed the President's advice can be little doubt. He may indeed have followed it too well, from the Australian point of view. Washington columnist Leslie Carpenter, whose wife Liz is press secretary to Mrs. Johnson, recently speculated that Clark may soon be named a White House "trouble-shooter"—the latest in a spate of speculations that he will shortly be moving on, now that he has served a two-year stint in Canberra.

But Clark professes to be astonished by the report. He will be in Washington this week, but the visit, he says, "was my idea, not with the Departments of State, Defense, Intheirs. I have a number of matters to discuss terior and Agriculture on matters concerning Australia—but I'm not looking for any trouble to shoot. If the President has any plans for me, I just don't know about them." He adds that he intends to be back in Australia in time for the Melbourne Cup, the nation's most famous horse race, which will be held Nov. 2. "I've picked the last two winners," he remarks, "and I intend to keep picking 'em."

An example of Clark's thoroughness in following the President's counsel has been his unprecedented record in going out and meeting the people. He has really "spread himself around." He flew 154,000 miles in 1966 and has flown another 110,000 miles this year—crisscrossing every Australian state, visiting as far north as New Guinea and as far south as Australia's Antarctic base. He has talked all the way, averaging a formal speech every five days, working a circuit that embraces churches, schools, Rotary and Lions clubs and all sorts of professional and trade organizations; his aides say that he has made far more speeches than any ambassador from any country, in the capital.

More important Americans have visited Australia during Clark's term of office than ever before; mostly they are personal friends, and they seem to respect his judgment entirely. He is credited by many Canberra observers with having been responsible for the visit last year by President Johnson—the first to Australia by any American President-in-office. He has worked hard to promote American investment in Australia.

Clark is known to have intervened on Australia's behalf when U.S. Government authorities were discussing capital outflow restraints and possible restrictions on American investments overseas; several U.S. corporations were being questioned about programs involving the investment in Australia of sums of between $15-million and $250-million. "That's when I got into the act," Clark confesses. "The authorities who were doing the questioning backed off . . . maybe just to get rid of me." He induced a 14-man Texas business delegation (most of them wearing cowboy hats) to tour Australia in July, and recently persuaded leaders of two New York banks and representatives of the oil, steel and aluminum industries to offer to put up the money for the establishment of what may be Australia's first postgraduate school of business administration. He has worked hard this year at getting the U.S. Armed Forces to buy supplies for American troops in Vietnam and the Pacific in Australia.

Undoubtedly, Clark's great advantage over all other ambassadors in Canberra is his ability to communicate immediately without recourse to formal diplomatic channels, with his President. He has done this quite often. One such instance came before Vice President Humphrey visited Australia and Asia last year; when his itinerary arrived from the State Department, it showed that Humphrey was due to have a half-day in Canberra, then two days in Manila, two in Bangkok and longer periods in other Asian capitals. Other ambassadors would have had no option but to accept the itinerary, even though the shortness of the Australian stay might have been construed as a small snub to the Australian Prime Minister; Clark was counseled by his own professionals not to take any official action.

According to Canberra newsmen, Clark ignored the advice. He telephoned the President and told him, "It's not good enough, Mr. President. You can't wipe these people off like that . . . it's an insult! If half a day is the best you can do, I suggest the Vice President doesn't call here at all." The itinerary was changed, and Humphrey stayed in Canberra for two days. The Australian Prime Minister, Harold Holt, who had been in office only a short time, was extremely grateful to Clark.

Ed Clark's direct route to the President has been the cause of some embarrassment. One veteran Canberra newspaperman met the Ambassador recently in a crowded lounge at the city's airport. "Waal, fancy meetin' you," Clark called. Then Clark lowered his voice to a gentle roar: "Y'know, I was talkin' 'smorning' to the President, and . . ." Suddenly the lounge was hushed; 500 people craned forward to hear what the President of the United States had been thinking. "Whatever it was, it was pretty insignificant," says the reporter. "But when Mister Ed decides to drop a name, he does it from a great height."

The Mister Ed label was first applied maliciously, but now it is used with total affection. Sometimes it appears in newspaper headlines, and reporters who attend conferences at the American Embassy have christened the cocktail he serves them—an old-fashioned with a bourbon base—"Mister Ed's drink." His relationship with local newspapermen has been particularly affectionate ever since he played host at a press conference for Pierre Salinger, the late President Kennedy's press secretary. After the formal questioning had ended, Clark said to Salinger, who is an excellent pianist: "Hey, Pierre, what about you play a few tunes for the boys?" Salinger obliged, and somehow the affair developed into a singsong, with newspapermen, Clark and embassy aides grouped around the piano singing tunes like "Chicago" and "Give My Regards to Broadway."

Clark's nature is so aggressively jolly and his desire to be loved so obvious that it would be easy to underrate the man. But even while he's telling Texas jokes, indulging in Texas reminiscences and generally behaving like a Texas caricature, the eyes behind his rimless glasses are operating independently. They are cool, level, calculating—the eyes of a very shrewd man. Just how shrewd might be gauged from the fact that he has built up, from a stake of $150 in 1932, a personal fortune in the region of $10-million. When he left Texas for Australia, he was chairman of the Capital National Bank and a board member of Texas Southern University; his law firm of Clark, Thomas, Harris, Denius and Winters has handled the affairs of the Lyndon Johnson family for many years. He has been active in Democratic party politics since the early thirties, and has been an active supporter of L.B.J. since the pair met in 1934. In 1937 Johnson stood for Congress, and his campaign was handled by Clark; then, in 1949, Johnson was elected to the Senate in a close and disputed contest.

In the legal wrangle which followed—there were charges of vote rigging and claims that Johnson had no right to stand for Senate office while he was still a Congressman—Clark acted as Johnson's senior legal counsel. "A lot of people think Ed owes a great deal, including this job, to L.B.J.," says one friend of the Clark family. "In fact, the truth is probably the opposite. Lyndon owes more to Clark than he could ever pay back." Whatever the case, there can be no doubt that the two men are very close; President Johnson is godfather to one of Clark's four grandchildren—three girls and a boy, all children of his daughter, Leila. (Clark is fiercely proud of the fact that these grandchildren are sixth-generation Texans: "My family arrived in 1842, when Texas was still a republic.")

In mid-1965, Australia had been without a United States Ambassador for exactly a year; the job was being held down very well by a charge d'affaires, but there were many Australians who regarded the absence of an ambassador as a considerable slight. Sir Robert Menzies, who was then Australia's Prime Minister, visited Washington.

"Sir Robert knows how to talk tough," says Clark. "He went to Washington and told President Johnson that Australia had waited long enough for an ambassador. The two countries had a lot of ties, and the Prime Minister made it obvious that he was getting ready to be offended. To be fair, the President had had a lot of things on his mind, and he simply hadn't gotten around to picking the right man.

"'All right,' says the President. 'What kind of man you got in mind?'

"'I want you to appoint a close friend,' says Menzies. 'Someone you've got confidence in . . . somebody who can ring you on the telephone and get straight through to you.'

"'How would you feel about a Texan?' the President asks, and the Prime Minister says, 'I think that would be great . . . as long as he's a Texan who knows you very well.'

"'Mist' Prime Minister,' says the President. 'I think I got your man.'"

On that summer day in 1965, Ed Clark and his wife Anne were driving from Washington to Austin, Tex. They arrived home to find a message asking Clark to ring the President immediately. "Ed," said the President, "I want you to come right back here and bring Anne with you."

"What's it for?" asked Clark. The President answered, "I can't tell you, Ed, but it's pretty important." That night Johnson introduced the Clarks to Menzies, and told him, "I think I've got your ambassador."

"We stayed at the White House that night and talked a lot more about the job at breakfast next morning," Clark recalls. "Then my wife and I went upstairs to talk it over. That Sir Robert was a very eloquent, persuasive man, but I had a lot of reservations. I kept telling my wife I was as busy as a bee with the law practice and the bank. I told her I felt I ought to keep working, and I said something about saving for a rainy day. 'As far as you're concerned, Ed Clark,' she said, 'it's raining right now. If you don't take this, you'll just keep on doing what you've been doing for the past 40 years.' I told her we'd better get on down, because we'd kept those two important men waiting a long time."

The couple went downstairs and had a cup of coffee; and suddenly Ed Clark, native son of Texas, banker, attorney, hamburger connoisseur and amateur breeder of bulls, was Ambassador-designate to Australia. "It all happened faster than a bull's blink," he says.

Recently, shambling amiably around his dining room, living room, "Texas Room" and garden, pausing often to point out the attractions (Steuben glass penguins, paintings, a husky-sled harness he brought back from the Antarctic, tennis courts—"Charlton Heston played there"—and a Texas pecan tree), Clark admitted frankly that he had been very nervous when he arrived in Australia. Interviewing the man is like standing under a waterfall: the torrent of words cascades all around, and it is utterly impossible to divert the flow. But when he talks about himself, Clark's honesty can be quite touching.

"I knew all the guys at the embassy here were professionals, and I was a rank amateur," he said. "I knew they'd look upon me as a political appointee, and I felt they would resent me. Yet I needed them so much. I didn't know a thing about diplomacy—I had no reason to. I didn't even know anyone in the Foreign Service. I knew it was important to have good manners, to be kind and considerate to people, but I didn't know when I was supposed to wear a cutaway or a silk hat. If I was due to call at some formal function, say an embassy party, I didn't know how long I was supposed to stay or who I was supposed to talk to or what I was supposed to talk about. I didn't know the rules of the game, and if they had wanted to make me look a fool, those professionals at the embassy could easily have done that. They turned out to be wonderfully loyal and cooperative, and they advised me well."

The loyalty has worked both ways. Ed Clark has 112 people on his embassy staff, and he has made some sort of history by entertaining all of them at barbecues and small lunch and dinner parties. He discusses every speech he makes and conference he attends with senior counselors, and is usually guided by their advice.

Mrs. Clark is a small, gray-blond woman whose gentle, rather shy and wry manner makes her an ideal foil for the gregarious Ambassador. She pretends to disapprove of Clark's almost belligerently friendly invitations—in back-country towns like Wagga Wagga and Coonabarabran he has been known to announce, "If you folks ever find yourselves in Canberra suffering from frostbite or snake-bite, just call in on Miz Clark and me for our bourbon cure." She chides him often about "talking too big," and tells him to remember that he is a foreigner in Australia. But they have been married for 39 years; she is intensely devoted and proud.

Mrs. Clark's gardening, church (they are Episcopalians) and needlework activities, plus a very catholic taste in books and magazines, give her a breadth of interests outside the embassy; Ed Clark has very few. A nongardener and nongolfer, he spends just about all his waking time in some form of embassy work, though he does keep in close touch with his Texas banking and legal interests, even to the point of staying abreast of all staff salary adjustments. Both send frequent tape recordings to their daughter and her family in Greenville, Mo.; they often show home movies (most of which happen to be about Texas) and entertain at barbecues which range from the intimate to the congested. One of the latter type was thrown on a cattle ranch owned by a friend during the Johnson visit; it was attended by 400 guests and a group of friendly kangaroos.

A couple of weeks ago, on a visit to Sydney to address the Institute of Engineers, Clark heard there were two American destroyers in town, fresh from Vietnam. He visited the ships, shook hands with everyone on board and asked his perennial question: "Anyone here from Texas?" There is always somebody there from Texas. This month Americans serving in Vietnam will begin taking short furloughs in Australia, and Ed Clark will be waiting to meet each planeload, watching specially for the inevitable Texan.

"People say to me, 'You're not the Ambassador for the United States; you're the Ambassador for Texas,'" says Clark. "I say, That reminds me of the guy who threw a rock at a cat and hit his mother-in-law. It ain't so bad after all."

How much longer Ed Clark will remain the Ambassador for the United States (and for Texas) is, as indicated, open to some doubt. "Just before I came out," he said recently, "I asked Senator Fulbright how long an ambassador usually stayed, and he said a man usually had the job during the pleasure of the President. Other people have said that about two years is the normal term." Clark's two years were up on Aug. 15; it is known that the State Department has offered him three other ambassadorships, but so far he has chosen to remain in Canberra. "I wouldn't take another diplomatic job just for the honor of it," he said, "but if the President told me that I might lighten his burden in some small way by accepting an appointment, I'd take it."

At this point his large face quarried itself into a broad grin. "I used to say that I didn't want to go any place where there was a language barrier," he said. "But my wife, a little unkindly, said, 'Let's face it, honey, wherever you go with that Southern accent, you gonna wind up with a language barrier.'" He dug his audience in the ribs, chuckled at some length and said good-by. Ed Clark is a trouper, and like all good troupers, he likes to leave 'em laughing.

TAX INCREASE AND SACRIFICES IN ORDER TO CUT SPENDING

Mr. HICKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HICKS. Mr. Speaker, I have received a most thoughtful letter from a constituent who is an old friend, even though a dedicated Republican and a conservative. He is Harold W. Gloyde, president of the United Mutual Savings Bank, of Tacoma, Wash., a man with broad experience in financial matters and community affairs, and a highly responsible citizen.

It will be noted that unlike most of the letters many of us get from our people who want spending reduced, but in places other than at home, he is fully aware that such reductions must come at home if they are to come elsewhere, in areas that directly affect him as well as areas that affect someone somewhere else, and he is prepared to make the sacrifices that all must make when spending is to be cut. This, I regard as a high degree of responsibility.

He writes as follows:

Mr. FLOYD HICKS,
Member of Congress,
Washington, D.C.

DEAR FLOYD: I didn't think the time would come when I would write my Congressman urging that there should be a tax increase. However, I see that most of the mail is in opposition so here is my comment, for whatever it is worth.

In my view, this 10 percent surtax should, in fact, must be enacted into law. If it is not passed by Congress the effect will be, as the President has stated, "strangling tight money and a mortgage crisis." Of this, there is no doubt. Further, as stated by Chairman Martin of the Federal Reserve, if the tax increase does not pass, interest rates will, indeed, be a great deal higher than they are now.

Of course, the tax increase should properly be accompanied by a substantial reduction in spending. And that, in my view, means a cut in just about everything. Highway construction, foreign aid to everybody including Boeing customers, Housing and Urban Development including [some local projects are mentioned here], everything should be cut. Maybe it is time to find out if we can exist without federal aid for a while.

Concluding, this tax increase just has to be passed. And if space programs, military spending, and a few more things have to be pruned, it suits me just fine.

Yours truly,

HAROLD W. GLOYDE.

ROLE OF ARMED SERVICES COMMITTEES IN MARITIME POLICY

Mr. LENNON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an address by the Honorable L. MENDEL RIVERS.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. LENNON. Mr. Speaker, during the debate this week on H.R. 159, to create an independent Federal Maritime Administration, the distinguished chairman of the Armed Services Committee pointed out the justification for this legislation. At that time I was reminded that he had recently addressed the convention of the Propeller Club of the United States on the same subject. Having been privileged to read his excellent address, I think it is appropriate that it be shared with Members of Congress and the public.

Mr. Speaker, I insert the following address by the Honorable L. MENDEL RIVERS at this point in the RECORD:

ADDRESS BY HON. L. MENDEL RIVERS, CHAIRMAN, COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, TO THE CONVENTION OF THE PROPELLER CLUB OF THE UNITED STATES, HONOLULU, HAWAII, OCTOBER 12, 1967

Mr. Chairman, ladies and gentlemen, I was highly honored when Ed Hood and Ralph Dewey asked me to speak to this illustrious organization, the Propeller Club of the United States, on the increasing role of the Armed Services Committees of the Congress in the formulation of maritime policy.

Since it seems to me that American sea power and our maritime policy are mutually dependent upon each other, I can certainly appreciate the implication.

Nevertheless, I was complimented by his suggestion that the Committees on Armed Services of both the House and Senate enjoy an ever-increasing role in maritime policy. But in acknowledging the possibility that this could be true, I don't want to deprecate in any way the outstanding efforts and accomplishments of the Merchant Marine and Fisheries Committee of the House.

Let me put the situation a little more bluntly. Our maritime industry is so badly off, it certainly can't do any harm for two committees of the House to take an immediate interest in your plight, and it might do some good.

Do you remember as a child, and I can remember this even in Charleston, making a snowman after a heavy snowfall and watching it melt as the sun rose high in the heavens?

A melting snowman is a somewhat pathetic but, paradoxically, a brave looking spectacle.

Usually, the broom in the snowman's hand is the first object to fall, and then parts of the face. The snowman continues to dwindle in size and usually, the melting continues until eventually there is just a puddle of water, two black stones that represent the eyes, a piece of wood for the mouth, the broomstick, and, of course, someone's old hat.

Well, that's about the situation that is going to face our merchant marine industry if we don't do something about it. In other words, you are going to be left holding your hat.

Eighty percent of the American merchant marine fleet is more than 20 years old. That's not bad for human beings, but it's catastrophic for the shipping industry.

It always concerns me when I recall that as we slide down the scale in merchant marine tonnage, the Soviet Union tonnage goes up.

Between 1951 and 1965, the merchant marine of the Soviet Union grew from less than 600 ships of 2.6 million dead weight tons to more than 1,250 ships of 9 million tons.

During this 14 year period, which saw America's gross national product increase almost arithmetically, the active U.S. maritime fleet dwindled from 1,950 ships, with over 22 million tons, to 1,000 ships of 15½ million tons.

I am told that since 1958, the Soviet Union has advanced from 21st to seventh place among the maritime nations. As a result, a good part of their shipping is modern and efficient.

I am further told that as of last year the Soviet Union was building or had on order 585 merchant ships, totaling almost 5,700,000 dead weight tons. At the same time, we had on order 39 merchant ships, totaling less than 550,000 dead weight tons.

By 1980, the Soviet Union will have a merchant marine twice the size of the United States, and long before that date, Mussolini's Mare Norstrum will become the Soviet's Nashe Morye (our sea).

If anyone doubts that the Soviets move into a vacuum—watch what happens in the Red Sea, the Indian Ocean and the eastern reaches of the Mediterranean.

Now, I am sure that there are some computers, or at least there are people who use computers in the pentagon, who will tell you that as our merchant marine gets older, and as our U.S.-owned tonnage decreases, our status as a maritime nation improves. Fortunately, I learned a different brand of arithmetic, so I don't understand this theory of strength through weakness. And I wouldn't believe it if I did understand it.

This nation of ours is one of the few in the world bounded by two vast oceans.

Whether we like it or not, we were destined, from the day Columbus landed at San Salvador, or the Irish landed in Newfoundland, to become a maritime nation.

In every war in which we have been engaged, including the war between the States, control of the seas has been the deciding factor. Just recall Yorktown and deGrasse's fleet; the battle of Lake Erie; Vera Cruz; the Northern Blockade; Manila Bay; two world wars; Korea, and now Vietnam.

Even though the aviation industry has made tremendous advances and the skies today are becoming crowded with aircraft, nevertheless 98% of all the cargo going to our troops in Vietnam is carried by ships.

But the day is not far off when we are going to be dependent upon other countries to carry this kind of cargo unless we decide to do something about it now.

This may sound strange coming from me, since I had a little something to do with our improved military airlift, like procuring the C–130's, the C–141s, and the C–5A—and let there be no mistake, I'm all for airlift—but a hand is worthless without a heart to sustain the body.

Now, before I continue this pessimistic appraisal of our maritime industry, let me compliment those of the industry who have ventured their own capital, some with and some without government subsidy, to build modern ships. I have particular reference to the *Sea Barge*, the *Seatrain* concept, fully containerized ships, and variations of the *Lash* program.

These companies have gambled on the future of the maritime industry in the hope that America will awaken to the need for a vastly improved merchant marine.

Now, while I would like to compliment industry for its efforts to build up our merchant marine, I want to also say that subsidization in its present form may require some extensive changes.

I don't profess to know enough about the technicalities of rate-making to make an intelligent suggestion, but I hate to see somebody pour ground glass in a good cup of coffee and that is just about what some of the labor unions are trying to do to our merchant marine. The only difficulty with that is that some of you have become so accustomed to that kind of treatment that you have learned to digest ground glass.

The only restriction, as I understand it, on passing wage increases on to the customer is the Maritime Administration, and they may or may not approve a wage scale after it is negotiated and a contract has been signed. I suppose industry gets stuck every once in a while, but it seems to me to be a strange way to run a shipping industry.

It occurs to me that there are some people in this nation, and perhaps some important people, who would like to nationalize the entire merchant marine. Perhaps that is one solution. It would probably stop all progress, but we wouldn't read about the problems quite as much.

I would prefer to think that there are enough intelligent people in this country who can sit down and analyze where we stand and come up with a solution. And it is not going to be an easy solution or an easy compromise.

There are going to have to be concessions made by lots of groups and lots of special interests, and there must be one concession in common from all who participate in such a discussion—an agreement that the security of this nation comes first.

Each group, whether it is labor, industry or government, is going to have to put its best and most patriotic minds to work or we are going to wake up some day and find ourselves completely dependent on foreign shipping. When that day happens, when we go from being the top dog in world affairs to an underdog, believe me there are going to be nations standing in line—nations who have been some of our most expensive dependents—waiting to kick us.

A partial answer to this problem is special purpose shipping.

I am not going to spend a great deal of time talking to you about the fast deployment logistic ship that was proposed by the department of defense this year.

Our committee and the Congress, as you know, did not approve the 30-ship program, and I think it safe to say that we still are not enamored of the total production package nor the strategic concept that accompanied the proposal.

But, I don't think anyone should conclude that our committee is opposed to the development of a fast deployment logistic ship. It does not necessarily have to be a ship owned and operated by the United States Navy, or the United States Army. It does not necessarily have to even be a ship built to a design paid for with Government funds.

It could be a ship now underway, or a ship already in existence, or it could be a combination of several ships.

What I personally would like to see is the construction of four or five prototype FDLs, not necessarily all built in the same yard. I'd like to think that improvements could be made as they are being constructed, from lessons learned from the ships that are being built by private industry for the privately-owned steamship companies.

It is quite possible that the sea barge and lash concepts may have marked advantages over the FDL, since they may be more cost effective than the FDL. These could be chartered to do much of the cargo hauling jobs for our overseas forces.

I strongly supported the announcement of a design winner for the FDL because I did not want to see more than $17,000,000 in Government funds—and perhaps another 8 to 10 million in private funds—wasted.

I'm confident that each of the studies submitted on the FDL were good. These have been paid for and should be available to everyone.

We should build four or five government-funded FDL's, compare those with the vastly improved ships now underway for private industry, and come up with a ship that will be flexible, multi-purpose, fast, efficient, and capable of meeting world competition through the use of improved operating techniques.

But, before our committee approves *any* FDL's, the Department of Defense must present to us, as we said in our report, an approved program for:

(a) The modernization of Navy shipyards.

(b) A strong new American merchant marine.

(c) The continued ironclad non-revocable assurance that none of the FDL's will be used in competition with what's left of our merchant marine.

And believe me, I am not kidding—which a lot of people have found out—the hard way!

I am interested in better Navy and private shipyards because they are vital to our security.

I am also interested in seeing us build new, modern, fast-moving cargo carrying ships capable of easy on-and-off loading, preferably by barges, as shallow draft as possible, and capable of long cruising range. They do not have to be pre-positioned in anticipated trouble spots of the world. There probably aren't enough ships in the world to meet that contingency.

This is the role of the navy's amphibious forces.

But, of course, some of the ships can be pre-loaded, others should have a fast unloading and reloading time, and be immediately available when called upon.

The merchant marine industry of this Nation must attain improved automation, faster speeds, and quicker turn-around capability to become cost competitive in order to regain our posture as a leading maritime nation of the world.

I have referred earlier to the need for closer

partnership between the military and the private sector in the design and construction of vessels adaptable both to commerce and defense.

Of equal importance, is the need for long term plans and priorities for the allocation of defense cargoes to all segments of the merchant marine.

The continued pace of private investments in ships in many of our essential trade routes depends squarely upon some form of programmed cargo volume for each stage of an emergency. We could very well lose our present U.S. flag position in cargo liner competition if the parcel lots of military cargo fluctuates widely back and forth from a period of feast to famine.

Procurement practices in military cargo must be regularized and the ground rules re-established, in order to insure continued availability of cargoliners when emergencies arise.

At the same time, and I say this with considerable conviction, the carriers who enjoy regular patronage of military cargoes in non-emergency periods, especially those who get subsidies, must respond with all possible ships and space in such emergencies.

The "respond" proposal, or some equivalent priority agreement, must be implemented without delay.

We must take advantage of those things we know best—mass production techniques—progressive standardization—and nuclear power. We must look at undersea towing possibilities, air cushion techniques, and polar routes. Air cushioned vehicles, for example, are practical and exist today. They should be explored further. The outstanding commercial advantages of the nuclear powered SS *Savannah* should be exploited and carefully analyzed by all who are engaged in the shipping industry.

And, above all, the Nation must be told over and over again that sea power is vital to our safety, vital to our existence, vital to our future, and is not a problem limited to the States that border the oceans.

A fast-moving merchant marine fleet is just as important to the State of Iowa as it is to the State of California.

A fast-moving merchant marine fleet is as much a part of sea power as our indispensable, incomparable aircraft carriers and nuclear submarines.

I have said in the past that we are not going to authorize any new major surface combatant vessels that do not have nuclear propulsion. This, of course, always raises the question as to what is a major surface combatant vessel.

Certainly, there will be no additional carriers authorized by our committee unless they are nuclear powered. What I will insist upon, and I am confident my committee will support me, is that we develop all-nuclear powered task forces.

It seems to me the height of absurdity to have nuclear carriers and not have nuclear powered guided missile frigates making up the task force.

At the same time, I know there is a crying need for additional destroyers, particularly general purpose destroyers.

If cost and, even more important, the availability of nuclear propulsion plants precludes the construction of a substantial number of nuclear powered general purpose destroyers, then of course we must authorize conventionally powered ships of this class in order to put on line the fire power necessary for the type of wars I can envision in the years ahead.

I think it is time that the Committee on Armed Services and the Department of Defense work out an acceptable formula for the proper mix of nuclear powered and conventionally powered ships.

The Congress has overwhelmingly approved the strong stand our committee has taken on nuclear propulsion for our major surface warships. This year we authorized construction of two nuclear powered guided-missile frigates in lieu of two conventional guided-missile ships requested by the Department of Defense. The Defense Authorization Act (Public Law 90–22) states:

"The contracts for the construction of the two nuclear powered guided-missile frigates shall be entered into as soon as practicable unless the President fully advises the congress that their construction is not in the national interest."

The Department of Defense can expect similar action to be taken in the future, if they continue to recommend that we build warships with obsolete propulsion systems.

It took a long time for some people to accept the fact that steam was better than sail.

As far as the House Armed Services Committee is concerned, it is not going to take the same amount of time to convince equally stubborn persons that nuclear power must replace conventional power. We have an advantage, and we must exploit it.

I think you all know one of the greatest living advocates of sea power—Admiral John Sidney McCain, Jr. He has given his lecture on sea power to our committee so many times that I think I can repeat a great deal of it. But he always impresses me when he says that, on any given day, there are about 2100 ships in the North and mid-Atlantic ocean.

I don't know what the figure is now in the Pacific, but it must be pretty substantial because we have a lot of ships carrying supplies to South Vietnam and the Communists have an awful lot of ships carrying supplies into Haiphong Harbor—supplies to be used against us. A pretty silly way to fight a war, I might add.

If someone really wants to test the importance of sea power, all they would have to do is measure the effect of a blockade of North Vietnam upon the economy and war-making ability of North Vietnam.

Of course, we might engender a little adverse world opinion with such a blockade.

Personally, I don't care what any other nation says. I'm not an isolationist, but I'm getting tired of being told that "world opinion" isn't with us. I prefer those words of Luke, Chapter 11:23—"He that is not with me, is against me."

We've learned, the hard way, that some of our most expensive dependents—like De Gaulle—certainly aren't with us.

There are all too few countries we can depend upon, with any real certainty, in a time of true crisis. And that's all the more reason why we must move quickly to shore up our merchant marine.

If we don't, we may one day become a have-not nation. It's that simple.

And yet, would you believe that at no time since I have been chairman of the House Armed Services Committee has the Department of Defense ever expressed grave concern about the decline of our merchant marine.

It is inconceivable to me that the people in the executive branch of government charged with the responsibility for the defense of our Nation have not come forth with a firm proposal to solve this problem. It is even more inconceivable to me that they have not consulted with the legislative experts in the Congress in this field, in this vital area.

Apparently, the Department of Defense will continue to adhere to its childish concept that the Congress cannot make any original contributions to the problems that confront our merchant marine in our national security.

What has happened to the old days when the Congress and the executive branch of government used to sit down together and work out solutions to the problems that confront the Nation?

And certainly there cannot be a greater problem than that which confronts our merchant marine, and the problems confronting us in the Far East.

I'm told that 98% of the trade of the Orient goes through the straits of Malacca, and that on any one day, 200 ships pass through those straits.

I'm told that 12,000 ships a year anchor in Singapore, and 10,000 in Indonesia.

I don't know how many belong to us, but I do know that tin, oil, rubber, tungsten, platinum, and many other vital raw materials are carried on these ships.

Our survival depends upon sea trade, sea lift, and sea power.

If our committee is playing an increasing role in the formulation of maritime policy—and I hope we are—it is because American sea power and our maritime policy are inseparable.

Thank you for inviting me here to speak before an audience that knows and loves the sea, in a beautiful state that is surrounded by the sea.

THE FEDERAL HOUSING ADMINISTRATION

Mr. BARRETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARRETT. Mr. Speaker, for some time now the Federal Housing Administration has been subject to attacks from all sides.

It has been criticized for going too fast. It has been criticized for going too slow.

It has been depicted as the darling of the suburbs, and the culprit in the deterioration of our inner cities. It is either too conservative, or too liberal, depending on the identity of the last speaker.

Whatever the housing problem, the FHA at once becomes a culpable party in the eyes of some.

The continuing barrage is neither warranted nor justified.

The FHA has made mistakes in the past, in individual cases, and I would be surprised if there were none in the future. But its overall influence has been for the good, and it is now making the necessary transition to make it an influence for good in our specialized and socially pressing housing problems of today.

One of the principal aims of recent housing legislation has been to develop a public-private partnership to serve low-income families by coupling the resources of the Government with the initiative and imagination of private enterprise. It is only natural that the Federal Housing Administration, with its long experience in dealing with the private sector of the housing market, should be given responsibility for carrying out these programs.

With the tools that we in the Congress have given it, the FHA can be and is responsive to today's needs. This does reflect a change in policy and thrust, this does require change on the part of FHA personnel. These, however, are obstacles which have been overcome, and for those who would continue to overemphasize FHA's role in the suburbs, I can only ad-

monish them to take a look at what has happened and what is happening.

In 1934, when the Federal Housing Administration was first established, its primary purpose was to restore public confidence in the homebuilding and home financing industries in an effort to bring that part of the economy out of the doldrums of a severe economic depression.

This was accomplished and in the process, a whole new industry was formed. Homebuilding and mortgage lending on a large scale became possible. It was just as well, for FHA's big role was to accommodate the housing needs of returning World War II veterans.

This was a tremendous undertaking, one of great magnitude, and the FHA response was magnificent. Coupled with the outstandingly successful GI loan program of the Veterans' Administration, our veterans got their homes at terms they could afford, and our country was transformed into a nation of homeowners.

Today, nearly two of every three families own or are purchasing their homes, and a great deal of this is attributable either directly to FHA or to the influence FHA exerts on the mortgage market.

In the process of succeeding, however, the FHA earned for itself a reputation of being the midwife to suburbia.

Originally, that was a factual portrayal of the agency.

But the FHA has made a change and is adapting itself to the needs of today.

We in the Congress and in the Housing Subcommittee of the House Banking and Currency Committee, a subcommittee it is my honor and privilege to chair, have provided the FHA with new tools and programs to attune it to today's needs. We have given it programs to help those of greatest need—the low- and moderate-income housing program, the rent supplement program, a program for home ownership for low income families. It is to this stimulus the FHA is now responding.

The metamorphosis is not complete, and more change is needed. But an all-out effort is being made to have the FHA participate to the fullest extent possible in housing the poor and near poor families of our country.

For instance, Commissioner P. N. Brownstein recently told me the FHA was giving a broad interpretation to a 1966 legislative amendment which made possible mortgage insurance in riot or riot-threatened areas. As a result of this, in the past 2 months, the FHA committed on over 1,200 mortgages for homes in these areas.

This is a far cry from the false image painted of an FHA addicted to a well-ordered suburbia, and I believe it is time that we acknowledged this activity in improving housing within our Nation's cities. We desperately need a free flow of mortgage money into our central cities.

To go one step further, Commissioner Brownstein also told me that much of FHA's insurance business is in the inner city with much emphasis being given to rehabilitation.

In addition, the FHA also is showing an increase in business in the rural areas.

So we have a situation in which more home mortgage insurance is being written on either side of the suburb than in the suburb itself.

The housing in which some of our people are living is not good. It is totally inadequate by American standards and something should be done to correct this situation.

While I am certain each of us would like to see housing removed from the list of social problems, I believe it ill becomes any of us to criticize the FHA as the culprit responsible for this condition.

Let us face the facts on the root causes and not concentrate as some have done on finding a convenient whipping boy. We then can get on with the business of trying to find workable solutions, and I have the faith and confidence in the FHA to know it will be in the vanguard of those acting responsibly.

This is not to say the FHA is perfect, nor that some criticisms are not deserved. However, I know the dedication that Commissioner Brownstein has to the correction of program deficiencies and in carrying out the programs in the manner contemplated by the Congress.

The FHA has been extremely useful to the American people in the past. It has done an excellent job in expanding the building industry, and in providing homes for our returning servicemen. The task ahead, that of rebuilding our inner cities, and making good standard housing available to all, is probably the most complex of all the housing tasks faced by any organization.

I believe the FHA will be equal to its role in that task and will help us to do the job that we in Congress want done.

PASSPORT RESTRICTION BILL

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, within our concept of ordered liberty there exists the constitutional protection against the deprivation of life, liberty or property without due process of law.

This protection extends by implication to a citizen's right to travel abroad. Any arbitrary or capricious restraint on such travel is not consistent with our concept of a free society, and would be a deprivation of liberty without due process.

This right to travel, however, is not absolute, but rather must be balanced against other provisions of the Constitution governing the conduct of the United States in her relations with other nations.

It is crucial to our foreign policy and because of the changeable and explosive nature of contemporary international relations, it is imperative that the executive department, and especially the Department of State, be given stronger measures by which travel to foreign countries may be regulated when such travel is not in the best interest of the United States.

The bill I am introducing today will make it a crime for anyone to travel without a passport to, in or through a country for which a passport is not valid, or for refusal to surrender his passport upon proper demand.

This bill will fill a gap in the existing law which now permits a person to obtain renewal of his passport merely by declaring that he will not again go into a country for which his passport has not been validated.

The law as it exists now provides no penalty for travel to unauthorized countries except forfeiture of the passport or, in the case of "willful use" of the passport in violation of travel bans, 5 years in prison and/or $2,000 fine. It is almost impossible to prove use because passports are not stamped by the Governments of North Vietnam and Cuba.

Thus, a person who violates travel restrictions imposed by the State Department only has to offer a promise of "good faith" that he will not again violate the ban and his passport will be renewed.

Just 2 weeks ago six persons received new passports by promising that they would not again go to a country not named in the passport.

One of those six individuals is David Dellinger, editor of the leftist publication Liberation magazine. He is also national chairman for the National Mobilization Committee To End the War in Vietnam and is currently planning a march on the Pentagon this Saturday, October 21.

Dellinger has been convicted for violation of the selective service law and traveled to North Vietnam in 1966 as an alleged member of an "investigating team" for the so-called Bertram Russell War Crimes Tribunal.

His passport was revoked on January 5, 1967, but just 2 weeks ago he was issued a new passport on his sworn promise that he would not again violate the restrictions. His new passport has been validated by the State Department for travel to Cuba as a "journalist."

Others who have just been issued new passports are: Herbert Aptheker, an admitted Communist and director of the American Institute for Marxist studies; Lena Greene, American-born wife of British journalist Felix Greene; John Christopher Kock, New York radio announcer; Harold Supriano, an unemployed California social worker; and John Gerassi, not otherwise identified.

We are now asked to believe that they will not violate the passport restrictions. Such promises have in the past been "illusory."

If these people do go to a restricted country, the only existing punishment is loss of their passports, only again to have them renewed upon a promise of "good faith."

The laws of this country should be accorded more respect, and if the laws of this country are not sufficient to deal with the problem, then they should be amended and made stronger. This is my intention in introducing this bill.

"TIGER" TEAGUE—NEW GOALS IN SPACE

Mr. DORN. Mr. Speaker, I ask unanimous consent to extend my remarks at

this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, the Russian soft landing on Venus emphasizes the urgent need for new goals and more money in our own space program.

We can point with pride to the leadership of GEORGE MILLER, "TIGER" TEAGUE, and, the members of the Committee on Science and Aeronautics here in this House for their outstanding leadership and foresight in this field. They urgently need the backing and support of every Member of the Congress in facing this new challenge from Russia.

The General Electric Forum recently conducted an interview with our distinguished and beloved colleague, OLIN TEAGUE, chairman of the Subcommittee on Manned Spaceflight.

I commend this interview with Mr. TEAGUE to the attention of my colleagues and to the people of our country:

MEETING PUBLIC NEEDS

(By Representative OLIN E. TEAGUE, Chairman, House Subcommittee on Manned Spaceflight)

Question. Congressman Teague, you are recognized as one of the most knowledgeable space experts in the Congress. What do you see as the Nation's over-all direction in space exploration?

Answer. There can be three major areas of emphasis in our efforts to explore space and to utilize it for the benefit of mankind. These were outlined in a report entitled "Future National Space Objectives," which was prepared in 1966 by the House Subcommittee on NASA Oversight, which I chair.

The first area is near-earth orbital operations for scientific experiments and commercial utilization. For example, it has been estimated that by placing a telescope outside the earth's atmosphere, more information about the universe can be obtained in one year than has been previously accumulated in all of recorded history.

The commercial side, the use of weather and communications satellites shows great promise, and we can look for an extension of these programs in the years to come.

The second area is lunar operations. Merely landing on the moon is *not* our end objective. The real goal is to examine the moon to discover more about the origin of our own planet and to determine if the lunar surface may be made more habitable for extended astronomical observations and other scientific activities.

In the near future, a manned lunar laboratory program should be pursued, as well as an earth-orbital laboratory program. These programs will provide the basis for extending our manned lunar effort into the third area of emphasis—interplanetary activities—in the period beyond 1975. This extension, of course, requires the use of unmanned probes at first to gain sufficient information on deep space to allow man to venture forth into this relatively unknown and hostile environment.

One thing which intrigues me about probing deeper into the solar system, both in manned and unmanned vehicles, is the possibility that we will be able to understand better how nature functions here on earth, and what some of the mechanisms are which control our solar system and the many star systems of the universe. For instance, only a few years ago, we knew nothing about the Van Allen radiation belts around the earth, and relatively little about how activity on the sun affected the earth. Information from several space probes has greatly broadened our understanding of these important areas.

Question. When should we begin to work actively toward new goals in space beyond the Apollo lunar landing?

Answer. Right now. I say this with full awareness of recent (and current) Congressional concerns over the size of our national space budget. The House Subcommittee's report recommended that future major goals be set at the earliest possible time to assure our scientific and technological preeminence in the 1970's, and to provide a focal point for an orderly national space program.

If we don't start working toward new goals now, the sophisticated aerospace team built up for the Apollo moon program will begin to shrink away. NASA has estimated that by the end of this year, about 200,000 people—50 per cent less than at the peak—will be at work on the Apollo program. By the end of 1968, this figure will be down to about 100,000, and by the end of 1969, if the program is successful and going as it should, its employment will be nearing an end.

Question. In light of this year's close Congressional look at the space budget, what is the general mood of the 90th Congress toward space exploration beyond the Apollo man-on-the-moon program?

Answer. It is my view that Congress will continue to support the Apollo lunar landing program while continuing to take a hard look at new programs proposed by NASA.

Considering the fact that there are many pressures and possible alternative allocations of the resources available in the Federal government, including Vietnam, it is incumbent upon NASA to continue to make clear the value of these new programs in terms of economic advantage, technological progress, national security and scientific discovery. Within budget limitations, I personally believe that these new space programs should be pursued vigorously—if not this year, actively advanced when national budget conditions permit.

Question. What role does Congress play in overseeing the space program?

Answer. Primarily we represent the public voice in the amount of money spent and in the direction of the activities. It certainly isn't the job of Congress to run the day-to-day operations of the space program, but rather to examine periodically how well the work is being done and what return we are gaining in new knowledge and practical utility from the space program.

In addition to the annual authorization hearings where past performance and future planning are reviewed, our subcommittees travel to NASA centers and plants of the major industrial contractors to review their projects each year. We supplement these activities by conducting studies each year into those areas which appear to be most critical, such as our report on "Future National Space Objectives," mentioned earlier.

Congress must examine any new program not only on its own merits, but also on its relationship to other national goals. Each decision we make in the area of science and technology involves the setting of a relative order of priorities for the use of the Nation's resources for science and technology.

Given the feasibility and desirability of a particular program, it is the ultimate responsibility of Congress to determine when the program should start, when it should end, and at what funding level it should be pursued. Here are a few of the questions Congress asks about each space project:

Is the objective compatible with other national goals?

Is there a reasonable expectation of achieving the objective?

What will be the effect of the program on the welfare of the general public?

Are there desirable or undesirable international implications?

Are new concepts of science or technology required?

What will the program cost each year, and what will be the total cost?

Are the cost estimates realistic?

Can any portion of the program be modified to reduce costs and still realize the end objective?

What effect will the commitment of that sum of money have on other Federal activities?

Question. As you assess the public mood at this time, how much support is there for the space program?

Answer. I think there is general public support. Recently a public survey firm made available to me a set of questionnaires discussing public interest in the space programs, which indicated general support for it. Another barometer is the mail we receive on the subject. Less than one per cent of the mail I receive on a daily basis is unfavorable to the space program.

One of the problem areas we are facing is the need to keep the public informed. Here, I think both NASA and industry need to do a better job. There is a great deal of communication within the space industry on a daily basis, and through periodic meetings, and this is certainly important. But sometimes I think we lose sight of the fact that it is equally important to make this information available and understandable to the general public.

For example, I think it is important for leaders in the space industry to talk to local civic organizations, schools, and nonspace-related industries, and to distribute to these groups whatever information is necessary to allow them to make an intelligent and informed assessment of the space program on their own.

Question. What are the possibilities for improved international cooperation in space?

Answer. I'm convinced that in the years ahead international cooperation in space will increase. There is great potential in the use of space for human betterment, in such areas as earth-orbital agricultural surveys, international communications, and oceanographic surveys.

More than 60 per cent of the world's people, for instance, are protein-deficient today. If, by earth orbital surveys, in cooperation with the less-developed countries, we can improve that situation, our entire space program will have paid for itself many times over.

The problem in international cooperation, of course, is in finding the right mechanism. There is a major element of national security wrapped up in the development of advanced technology, so all nations are understandably cautious. But the gains can be so great if we can only find the mechanical means for cooperation.

Question. From your viewpoint as a representative of the people, why is it so important for the United States as a nation to set ambitious goals in space?

Answer. If we expect to continue the rapid progress made to date in this country, to compete in the world marketplace in the years to come, and to help other peoples improve their standards of living, we will need still more technological progress. And this is what the space program is providing us—technology on a scale so vast and varied that we can barely keep up with it. There is hardly a single field of scientific endeavor that is not touched by the space program.

Even more important is the stimulation that our ambitious goals in space bring to the young people of our nation, and to our educational system. This stimulation is hard to measure, but I am convinced that without the examples of the attainments of the many highly skilled people in the space program and of the astronauts, our young people might well set lower goals for their own accomplishments.

If I could sum up these reasons, I would say that the national space program is an integral part of our national well-being, not only for today, but for the future as well—intellectually, materially, and spiritually.

A MORATORIUM ON VIETNAM CRITICISM

Mr. TAFT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TAFT. Mr. Speaker, the mass demonstrations against the war in Vietnam planned for Washington and other cities this weekend seems sure to be exploited by the Communists and others throughout the world who oppose our policy there. With the likely excesses of emotion and oratory, some step to avoid international misinterpretation is needed. For this reason, when the shouting and the drama has passed and our treasured right of dissent has been exercised by those who wish to exercise it, I suggest that all Americans follow the demonstrations with a self-imposed 30-day moratorium on criticism on our policy in Vietnam. You might call this a halt in verbal bombing.

Such a procedure could accomplish a number of purposes within acceptable limitations.

First, it might do far more than the protestations to create a climate favorable to negotiation. The wide range of criticism in our country during the past few months has surely demonstrated to the world the existence of free expression in our society. Now to avoid misrepresentation and misunderstanding, the depth of commitments of most Americans in their loyalty to the Nation could be demonstrated most vividly by the announcement and observance of such a period of voluntary restraint.

Secondly, such a pause would provide a period for thoughtful consideration by those charged with the heavy responsibility of making decisions. The weight of daily choices in the war and in international policy is a heavy one and can hardly have been helped by the current barrages of criticism that tempts direct reply and reaction.

A third and equal benefit of such a lenten period would be the opportunity it would offer every American for reflection upon our responsibilities to ourselves, our Nation and the world for the views we espouse and the course we take in Vietnam and other troubled spots in the world.

With these goals in mind, I suggest that the President, leaders of both parties in the Congress and all who hold responsibility for commenting on the course of events, ask all Americans to pledge themselves to a moratorium on criticism and demagoguery relating to U.S. involvement in Vietnam to run 30 days commencing October 23 through Thanksgiving, November 23. This would and should be no gag-rule. The facts and the news we must have. It would not be a blackout, but rather it might mean progress through new light to show us the way toward the best course.

I do not suppose it will happen, but if it did, it would be inspiring and might be helpful.

TIME TO TEMPER OUR DISAPPROVAL OF THE WAR IN VIETNAM

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, I am gravely concerned about recent reports from Vietnam, including captured Vietcong and North Vietnamese documents, that indicate Communist refusal to enter negotiations may hinge on mounting antiwar sentiment here in America.

These reports indicate that leaders in Hanoi may be "holding out just a little while longer" in the hope that public opinion in this country may force a U.S. withdrawal from Vietnam thereby negating any need to negotiate.

If this be the case, then it appears that the demonstrators, themselves, may be prolonging this war and causing increased and needless casualties among U.S. fightingmen in Vietnam.

Responsible voices in our Nation, fearing this may be the case, have long warned that freedom of speech and the right to dissent, in this regard, should be accompanied by responsible restraint. With freedom of speech, goes the responsibility each of us has for those young Americans in Vietnam who are really paying the price of this war.

Mr. Speaker, this is a time for serious reflection by all Americans—a time to ask ourselves if we have, in fact, given aid and comfort to the enemy by burning flags and draft cards, attempting to shut down induction centers and other public buildings, and berating our Nation as "immoral" and "indecent." Such irresponsible actions and words are being misread in foreign capitals and I think its time we temper our disapproval in favor of those men that this administration has committed to the war in Vietnam.

Even though a substantial number of Americans, including many in Congress, oppose administration policy in Vietnam, it is also true, in this instance, that those who take to the streets to express their opposition, may be doing more harm than good when it aids and abets the enemy.

Quite frankly, I feel we must now face up to a new and awesome reality. To prolong this war one more day or cause the death of one more American in Vietnam, now becomes the solemn responsibility of each and every citizen of this country.

My principal purpose in raising this question today is to bring this matter to the attention of my colleagues in the hope that we can measure up to this challenge before it is too late. In my judgment, we are entering an explosive and dangerous period in our country and in our history that could well destroy our national fiber unless we are aware of this threat and ready to meet it.

DESIGNATING THE ROSE AS AMERICA'S NATIONAL FLOWER

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROBERTS. Mr. Speaker, I have introduced House Joint Resolution 896, which names the rose as America's national flower. This, of course, is not a new proposal, but rather a renewal of a much needed piece of legislation. The United States stands alone as the only major country in the world which does not have a national floral emblem. For this and other compelling reasons, I am sponsoring this resolution.

The rose really needs no champion, for its beauty and popularity are well documented. Time after time, in a series of national polls conducted by periodicals and floral organizations, the rose has emerged as the Nation's choice to be named our country's official flower. This Week magazine was so sure of the rose's popularity that it conducted a poll to determine which color of the lovely bloom would be the national flower. Stated this magazine uncategorically:

The rose is America's favorite flower.

Coincidentally, the red rose was the overwhelming choice. But no matter the color. The rose is the thing, be it red, yellow, white or whatever color. There are hundreds of varieties in various hues, and they are all lovely.

Another important factor is the widespread pleasure this flower gives. The rose is grown for fun and profit throughout this great Nation. From housewives in Portland, Maine, to commercial producers in California, everyone is growing roses. It is a relatively easy bush to cultivate in most climates and is known for its hardiness. It is my pleasure to represent Tyler, Tex., known as the city of roses. Tyler is the center of an agricultural complex that produces more than half of all the field-grown rose bushes produced in the United States. America is the leading rose nation in the world, with annual production of more than 30 million bushes.

But roses are not the property of Texas alone, nor do we claim them for ourselves solely. Indeed, the rose is revered across the land. From the Pasadena Rose Festival on New Year's Day to Tyler's own Texas Rose Festival held each October to the celebration of National Rose Week, Americans honor the role of the roses in our lives.

The rose has a long and proud history. Archeological findings in Oregon indicate that prehistoric man encountered the rose as far back as 5 million years ago, probably making the rose the oldest flower known to man. Through the centuries the rose has been adopted as a sym-

bol for many things: courage, beauty, honor, truth, fidelity, grace, and on and on. Even today, at almost any function where flowers are given as a token of admiration and esteem, the choice is the rose. First Ladies receive roses, prima ballerinas get them by the basketful and teary-eyed actresses walk off stages with armloads on opening night. Miss America is crowned each year holding a bouquet of roses.

Finally, why do we need a national flower? There are a number of good reasons, it would be helpful to have an official flower for use at State functions, whether in the White House or for other Government officials. In greeting visiting dignitaries, presenting our national flower would be a fitting welcome. But there is one most compelling motive, and it is a simple and an obvious one: The rose, in the hearts and minds of Americans, already is the national flower. It is only left to the Congress to make it official.

PREPARATIONS FOR THE OBSERVANCE OF THE INTERNATIONAL HUMAN RIGHTS YEAR: PROGRESS REPORT NO. 2

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, in the fall of 1963 and again in 1965, the General Assembly of the United Nations adopted resolutions designating the year 1968 as the International Human Rights Year and calling on all member states to join in observing the 20th anniversary of the Universal Declaration of Human Rights.

In the fall of 1966, the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs held hearings on legislation proposing the establishing of a U.S. Committee on Human Rights to prepare for the observance, by and in the United States, of the International Human Rights Year. Although the subcommittee, which I have the honor to chair, reported the legislation favorably, we did not manage to obtain House concurrence to that proposal prior to the adjournment of the 89th Congress.

At the beginning of the current year, a special committee was appointed by the U.S. National Commission for UNESCO to plan and prepare for the observance of the International Human Rights Year. Under the able chairmanship of Mr. Bruno V. Bitker, of Milwaukee, Wis., that committee has done an impressive amount of work in stimulating interest in the forthcoming International Human Rights Year among American educational institutions as well as among a multitude of private, voluntary organizations.

On June 21, I reported in the CONGRESSIONAL RECORD on the initial accomplishments of Mr. Bitker's committee.

Today, I should like to include in the CONGRESSIONAL RECORD a further status report received from Mr. Bitker.

Before I do this, however, I should like to call to the attention of the membership of the House the proclamation on the Human Rights Year, 1968 issued last week by President Johnson.

President Johnson strongly reaffirmed America's belief in human dignity and equality in his stirring proclamation celebrating the anniversary of the Human Rights Declaration of 1948.

The President marked the historical importance of this declaration of freedom by naming December 10 to 17 Human Rights Week and 1968 Human Rights Year.

This document joined in common voice the nations of the world to express, in the President's words:

> Man's deepest beliefs about the rights that every human being is born with, and that no government is entitled to deny.

In a world beset with tyranny, America must continue to set a shining example for freedom-loving people everywhere to follow. On a globe hot with conflict, we must reassert our abiding conviction that nations and ideologies which deny basic human rights will crumble.

This has been our faith. It will always remain our faith.

The renewal of this basic belief is the real meaning of President Johnson's eloquent proclamation celebrating the Universal Human Rights Declaration.

Under unanimous consent I place this proclamation in the RECORD.

The text of that proclamation, promulgated on Otcober 11, 1967, the birthday of the late Eleanor Roosevelt, reads as follows:

"HUMAN RIGHTS WEEK AND HUMAN RIGHTS YEAR"—A PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

The year 1968 will mark the twentieth anniversary of the Universal Declaration of Human Rights by the United Nations—an historic document of freedom that expresses man's deepest beliefs about the rights that every human being is born with, and that no government is entitled to deny.

The United Nations has designated 1968 as International Human Rights Year. It has invited its members to intensify their domestic efforts to realize the aims of the Declaration.

Every American should remember, with pride and gratitude, that much of the leadership in the drafting and adoption of the Declaration came from a great American, Mrs. Eleanor Roosevelt. She was our first representative on the UN Commission on Human Rights.

Today, October 11, would have been her 83rd birthday. With the inspiration of her humanitarian concern still before us, I call the attention of our people to the Declaration she helped to author.

To Americans, the rights embodied in the Declaration are familiar, but to many other people, in other lands, they are rights never enjoyed and only recently even aspired to.

The adoption of the Declaration by the United Nations established a common standard of achievement for all peoples and all nations. These principles were incorporated into Human Rights Conventions, to be ratified by the individual nations.

American ratification of these Conventions is long overdue. The principles they embody are part of our own national heritage. The rights and freedoms they proclaim are those which America has defended—and fights to defend—around the world.

It is my continuing hope that the United States Senate will ratify these conventions. This would present the world with another testament to our Nation's abiding belief in the inherent dignity and worth of the individual person. It would speak again of the highest ideals of America.

Now, therefore, I, Lyndon B. Johnson, President of the United States of America, in honor of the ratification of the American Bill of Rights, December 15, 1791, and in honor of the adoption by the General Assembly of the United Nations of the Universal Declaration of Human Rights, December 10, 1948, do hereby proclaim the week of December 10 through 17, 1967, to be Human Rights Week and the year 1968 to be Human Rights Year. In so doing, I call upon all Americans and upon all Government agencies—federal, state and local—to use this occasion to deepen our commitment to the defense of human rights and to strengthen our efforts for their full and effective realization both among our own people and among all the peoples of the United Nations.

In witness whereof, I have hereunto set my hand this eleventh day of October, in the year of our Lord nineteen hundred sixty-seven, and of the Independence of the United States of America the one hundred and ninety-second.

LYNDON B. JOHNSON.

Mr. Speaker, at this point, under unanimous consent, I include in the RECORD the second progress report on the activities and accomplishments of the special committee of the U.S. National Commission for UNESCO, submitted to me by Mr. Bruno Bitker.

The report follows:

THE U.S. NATIONAL COMMISSION FOR UNESCO,
Milwaukee, Wis., October 12, 1967.

HON. DANTE F. FASCELL,
Committee on Foreign Affairs,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN FASCELL: Your continued interest in the observance of International Human Rights Year—1968 is most heartening. As you noted in your report to the 89th Congress, the 1965 White House Conference on International Cooperation urged that the United States plan in advance for the observance. In your statement to the House on June 21, 1967, you commented on the preparations that had then been undertaken by the U.S. National Commission for Unesco, and the help received from Assistant Secretary of State Charles Frankel through the appointment of Mrs. Margaret H. Williams to assist in the planning.

On October 11th, President Johnson issued a Proclamation designating 1968 as Human Rights Year. The date, incidentally, is the birthday of Mrs. Eleanor Roosevelt who did so much to bring about the adoption by the United Nations of the Universal Declaration of Human Rights. The Declaration is, as the President proclaimed, "an historic document of freedom that expresses man's deepest beliefs about the rights that every human being is born with and that no government is entitled to deny".

The President called "upon all American and upon all government agencies—federal, state and local—to use this occasion to deepen our commitment to the defense of human rights and . . . for their full and effective realization both among our own people and among all the peoples of the United Nations".

The committee of the U.S. National Commission for Unesco will do what it can to implement the President's Proclamation. In our preparations over the past months, we have considered it of especial importance to bring to the attention of the American public the relationship of the Universal Declaration of Human Rights to World Peace. We

constantly emphasize the roots of the Declaration in American history and American basic documents such as our own Declaration of Independence and Constitution. We do this not as chauvinists but because the ideas expressed, even the language used, in our national documents had such an influence in the preparation of the Universal Declaration.

To this end we are enlisting the active support of the educational world on all levels. We have met with representatives of organizations in the educational world such as the National Educational Association and its affiliates, the American Council on Education and others of equal status and influence.

The activities of the National Council for the Social Studies is of special significance because of its professional standing among social science teachers throughout the country. It has created a special committee to work on a publication on the Universal Declaration which would be a teaching guide for the social science teachers as well as those of other classrooms.

We have also been in communication with universities around the country. We hope to encourage institutions of higher learning to conduct seminars and institutes and conferences. It is our expectation that four of these seminars will be of major dimensions, conducted in four geographical areas of the country (the east coast, the mid-west, the south, and the west coast) and that those seminars would have the direct cooperation of departments of the federal government including the State Department's Bureau of Cultural and Educational Affairs, through its International Cultural Exchange Program. An example of a seminar undertaken on the university level is one scheduled for the current year at the University of Iowa (a copy of its agenda is enclosed). The Georgetown Law Center, Harvard Law School and Howard Law School are among those who will hold seminars.

The National Unesco Commission membership includes members of the Congress as well as representatives of recognized national organizations interested in matters of this nature. We have circularized these organizations as well as the Commission's members, past and present, urging that their organizations participate in the 1968 observance in several ways: by adopting appropriate resolutions at their respective national conventions; by devoting a session thereat to the Universal Declaration on Human Rights; by publishing appropriate articles in their journals; by distributing material to their members; by supporting the ratification of the four human rights treaties now pending in the Senate.

Questionnaires (copy attached) have been sent to these same organizations and individuals soliciting information as to the extent of their activities. It is too soon to evaluate the returns but early responses indicate that there will be considerable activity in the private sector during 1968. A summary (Aug. 3, 1967) of programs by some of these organizations is attached.

In cooperation with the United Nations Association and with the support of many other voluntary organizations, the U.S. Unesco National Commission is sponsoring a guidebook for use by local community leaders and organizations. It is entitled: "You in Human Rights". An initial printing of 20,000 copies has been authorized. The guidebook will be of practical value to local civic, educational, religious and other groups in planning local or state-wide observances of IHRY. The actual publication date is December 10, 1967, Human Rights Day. I served as the chairman of the Editorial Committee and am confident it will contribute materially to grass roots recognition of the significance of the Universal Declaration.

Many private organizations will be publishing material for distribution to their own members and local affiliates, as well as for general public use. The Association Press (the publication arm of the Y.M.C.A.) is publishing a paper-back book entitled "Human Rights and Fundamental Freedoms in Your Community" edited by Dr. Stanley I. Stuber. It is scheduled for release in January 1968, and is to be popularly priced. We have been informed that a printing in excess of 100,000 copies is contemplated.

Prior to the President's Proclamation calling on federal agencies to strengthen their efforts in this field, there existed an interdepartmental committee on foreign policy relating to human rights. We have been meeting with members of that committee from time to time and will now re-emphasize our efforts through it.

In the meantime we have secured approval of the Post Office Department for a special cancellation which will read: "IYHR: 1968 International Year For Human Rights."

Dies must be purchased. The U.S. National Commission for Unesco will acquire a half dozen. But through the Commission's membership as well as through the United Nations Association it is planned and hoped that dies will be purchased by local groups throughout the country for use in their respective post offices by applying to their own postmasters.

A formal request has been made by the Secretary of State to the Postmaster General for the issuance of a commemorative postage stamp. This request is being processed through the usual channels and we believe it will be acted on favorably in time for use early in 1968.

The U.S. Office of Education, through Dr. Harold Howe, a member of the Unesco National Commission, has indicated its interest and its willingness to help. Its first assist is through a special feature article in *American Education*. It will review the manner in which human rights is taught at one institution, reprints of which will be available for wide distribution, and thus serve as a pattern for others.

The Department of State and the Unesco National Commission have issued a number of publications in the past. Some of these will now be revised and reissued in quantities. It is expected that the State Department will include appropriate pieces in its Bulletin (circulation of 9000) and in its Briefs, which has a mailing list of 20,000 (mostly schools). The Unesco Commission will continue to furnish material to its affiliated organizations and to the public to the extent of its available supply of publications.

The General Assembly resolution on I.H.R.Y. urged the ratification by all member nations of conventions on human rights. The President's Proclamation also refers to these conventions. Four are now pending before the U.S. Senate (Genocide, Slavery, Forced Labor, and Political Rights of Women). A Senate sub-committee held hearings early this year on three of the treaties (other than Genocide) and the full Senate Foreign Relations Committee heard witnesses in September. I testified in support of ratification, and also recorded the approval of the Human Rights Committee of the White House Conference on International Cooperation as well as of the U.S. National Commission for Unesco. The full Foreign Relations Committee on October 11th, in executive session, reported out one of these conventions—on slavery—but failed to report out the other two.

The activities at United Nations are, of course, on the international level. But the programs planned and the material being issued are of great interest and assistance to us in planning the American observance.

The UN Office of Public Information is publishing a news letter. It has in preparation a special 100 page booklet. "The United Nations and Human Rights", which will be printed in English, French, Spanish and Russian. It will be available before Dec. 10, 1967. The UN is also issuing a 16 page pamphlet, "Questions and Answers on Human Rights". Considerable attention is being directed by the UN to the International Conference on Human Rights to be held in Teheran from April 22 to May 12, 1968. Mr. Curtis Campaigne has been named by the Division of Human Rights of the United Nations as a special assistant to coordinate the U.N.'s activities for the observance year. We have met with him on a number of occasions and are continuing to cooperate wherever appropriate.

Many of the specialized agencies of the UN are preparing for the observance year. Unesco was specifically referred to in the General Assembly resolution and "urged to mobilize the finest resources of culture and art in order to lend the . . . year . . . a truly universal character"

Unesco is honoring the General Assembly recommendations and is undertaking a number of projects. These will encompass: the publication of a booklet, in cooperation with the UN, "Teaching Human Rights", for teachers; a "Report on the Effects of Apartheid"; a re-appraisal of Unesco's previous Statement on Race; a unique project on "Human Rights and the Identification of Universal Human Values" which will consist of a collection of texts originating from the most diverse of the world's cultures which bear a connection with human rights.

The American contributor on this project is the distinguished historian Dr. Henry Commager. Publication is scheduled for the spring of 1968. It is hoped that out of the comparative analysis of these texts relating to human rights in the different religions, ideologies, laws and cultures may come a basis for determining whether there exists a universal conception of human rights.

Unesco intends to publish a special issue of its magazine *Courier* which has a wide international distribution especially among educators.

In Geneva I attended a meeting in July of the special I.H.R.Y. Committee of Non Governmental Organizations in Consultative Status with the United Nations Economic-Social Council. A non-governmental group in England (organized through the United Nation Association of the United Kingdom) seemed the most active of the private organizations around the world, other than those in the United States. We have, however, probably done as much or more than most nations in our preliminary planning. The World Conference of Lawyers on Peace Through Law met in Geneva at the same time. Many American jurists and lawyers participated. It adopted my resolution supporting the observance of I.H.R.Y. by lawyers throughout the world.

As you can see from the foregoing we have been as active as our resources and manpower permit. We have no fully assigned staff or budget. The help from the staff of the U.S. National Commission for Unesco, particularly the valiant service of Mr. William Marvin, its Deputy Executive Secretary, and from Mrs. Williams of the Department of State has been most valuable. But it is an additional heavy assignment for them, since it is added to the load of their regular work which they must continue to carry.

We have, nevertheless, managed to interest a great many responsible organizations, both public and private, particularly in the educational world, in undertaking appropriate projects for the observance year. We have started the ball rolling and can only hope it continues to pick up speed.

Sincerely,

BRUNO V. BITKER.

ORGANIZATION ACTIVITIES PLANNED FOR INTERNATIONAL HUMAN RIGHTS YEAR AS REPORTED IN RETURNED QUESTIONNAIRES, AUGUST 3, 1967

MEETINGS

(1) B'nai B'rith—session to be devoted to Human Rights at Triennial Convention, Washington, D.C. September 7–12, 1968.

(2) African Studies Association—likely that 1968 program will include discussion panel relating to Human Rights and Africa.

(3) American Anthropological Assn—sessions at 1968 convention might be arranged.

(4) AFL–CIO—preparatory discussions being held concerning resolution on Human Rights for 1968 convention.

(5) American Jewish Committee—planning sessions for 1968 convention and cooperating in the planning of the World Assembly for Human Rights to be held in Montreal.

(6) American Psychological Association—Symposium on Human Rights planned for 76th Annual Meeting in San Francisco August 30 to September 3, 1968.

(7) American Sociological Association—1968 annual meeting—Presidential address will refer to International Human Rights Year and it may be possible to have a special session on the subject.

(8) Associated Countrywomen of the World—Triennial Conference in East Lansing, Michigan on the University Campus September 3–10, 1968. Evening session will be devoted to UN activities which will include discussion of Universal Declaration as well as another session with a speaker on the subject. 5000 women will attend; 1000 from other countries.

(9) Church Women United—Seminar on Human Rights, March 1968.

(10) National Assn for the Advancement of Colored People—sessions at 1968 convention may be possible.

(11) National Congress of Parents and Teachers—planning a World PTA meeting to follow May 1968 National Convention in San Diego, California. Program will probably be based on U.S. Bill of Rights, Universal Declaration, Declaration of Rights of the Child and Bill of Rights of the Family.

(12) National Council of Catholic Women—session at 1968 Convention.

(13) National Council of Negro Women—session at 1968 convention.

(14) National Council of Women—session at October 1968 convention.

(15) YMCA—15th annual YMCA Seminar on the UN and World Affairs Education November 12–17, 1967 will have Human Rights Year as its theme.

(16) American Society of International Law—session at annual meeting in April 1968.

(17) Experiment in International Living—Experimenters Assn (alumni body of Experiment—24,000 members in U.S.) will feature Human Rights Year as theme of 1968 annual meeting

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QUESTIONNAIRE

(Please fill in and return to the U.S. National Commission for UNESCO, Department of State, Washington, D.C. 20520.)

PROGRAMS

For Human Rights Year 1968 are you planning:

Special meetings?_____

Commemorative ceremonies marking the anniversary date, Dec. 10?_____

Commemorative ceremonies marking the anniversary week, Dec. 10–17?_____

Sessions at your 1968 convention?_____

(Please describe)_____

Are you planning these activities with other organizations?_____

Please indicate organization_____

Human Rights Conventions:

Is your organization supporting the Human Rights Conventions on Slavery, Forced Labor, the Political Rights of Women, and Genocide now before the Senate? _____

PUBLICATIONS, OTHER PRINTED MATERIALS, AUDIOVISUAL MATERIALS

Have you published or issued any materials (including audiovisuals) within the past 5 years relating to the Universal Declaration of Human Rights or on the Bill of Rights? _____

(If in affirmative, please list and enclose copies when returning the questionnaire, indicating costs and where they might be obtained) _____

_____

_____

Are you planning to issue materials within the near future on the theme stated above? _____

(Please provide description) _____

_____

_____

Suggestions would be welcome relating to any means by which public or private institutions, or local or national organizations can further an understanding of the Declaration. _____

_____

_____

Please return to address at top questionnaire. _____

Title:

Organization:

THE UNIVERSITY OF IOWA,
Iowa City, Iowa, September 25, 1967.

Mr. BRUNO V. BITKER,
Milwaukee, Wis.

DEAR MR. BITKER: You will recall me as a recent member of the U.N. National Commission for UNESCO. I shall be representing the Association of American Geographers at the forthcoming meeting in Hartford, and shall no doubt see you there.

I have not neglected your correspondence of June 30 concerning the resolution of the National Commission urging all national organizations and individuals to join together to promote observances of the International Year for Human Rights.

You may be interested in what we are planning to do here in the University of Iowa. I am enclosing, therefore, a memorandum concerning a seminar which is to be offered during the first semester of the current academic year on international and comparative human rights. The first meeting is scheduled for this coming Tuesday evening, September 26.

Note that I am scheduled for the session on January 9, and will speak on Human Rights and the work of UNESCO. Needless to say, if you have any materials or thoughts that might help me develop that lecture, I would be quite happy to have them.

We are hoping that the seminar will be a satisfying one for both students and leaders.

Again, let me say that I shall look forward to seeing you in Hartford.

Cordially,

CLYDE F. KOHN,
Chairman.

MEMORANDUM, SEPTEMBER 1967

Re Description of and Agenda for *Interdisciplinary Seminar: Dynamics of International and Comparative Human Rights* [Business Administration (6B: 288); Journalism (16: 280); Law (91: 680); Religion (32:280); Sociology and Anthropology (34S & 34A:280); others to be added.]

To: Graduate Students and Interested Faculty.

From: Prof. Burns H. Weston (College of Law).

Beginning with the 1967 Fall-Winter semester, a new interdisciplinary graduate level seminar on international and comparative human rights will be offered. Students not taking the seminar for credit, and interested faculty as well, are urged to attend. The seminar, whose title is set forth above, is generally and officially described as follows:

"Main currents of thought and action as regards human rights in a transnational context. An interdisciplinary analysis of human rights problems and developments on the international and comparative planes, with emphasis on individual research and writing. No prerequisites. Graduate students and interested faculty only. (Credit: 2 s.h.)"

Subject to last minute change, all sessions will meet for three (3) hours each Tuesday evening in the Board Room of Old Capitol, commencing at 7:15 P.M. Each session will be divided roughly half-and-half between lecture and discussion, in that order.

In addition to certain required and recommended readings (a list of which will be distributed at the first meeting of the seminar), students will be expected to read by no later than the second meeting (October 3) the symposium "Human Rights in Perspective," 18 International Social Science Journal, No. 1 (1966) (SS.65/I. 71/A), available at Iowa Book and Supply.

Meeting: September 26, 1967. Lecturer: Professor Phillip D. Cummins (Philosophy). Topic: "What Are 'Human Rights'?"

Meeting: October 3, 1967. Lecturer: Professor David H. Andrews (Anthropology). Topic: "Human Rights and the Search for Cultural Universals."

Meeting: October 10, 1967. Lecturer: Professor Lawrence E. Gelfand (History). Topic: "The Quest for Human Rights in the World Community: A Pre-1945 Historical Dimension."

Meeting: October 17, 1967. Lecturer: Professor Willard L. Boyd (Law). Topic: "Are Human Rights Legal Rights?"

Meeting: October 24, 1967. Lecturer: Professor Hugh Dingle (Zoology). Topic: "Why *Human* Rights?"

Meeting: October 31, 1967. Lecturer: Professor William E. Connor (Medicine). Topic: "The Right to Life as a Human Right: Situation Ethics vs. Medical Ethics."

Meeting: November 7, 1967. Lecturer: Professor Howard J. Ehrlich (Sociology). Topic: "Human Rights and Human Prejudice."

Meeting: November 14, 1967. Lecturer: Professor Robert D. Baird (Religion). Topic: "Religions Obstacles to Human Rights."

Meeting: November 21, 1967. Lecturer: Professor Irving Kovarsky (Business Administration). Topic: "The Right to Work as a Human Right."

Meeting: November 28, 1967. Lecturer: Professor James W. Markham (Journalism). Topic: "The Right to Give and Take Information as a Human Right."

Meeting: December 5, 1967. Lecturer: Professor John Schmidhauser (Political Science). Topic: "The Right to Dissent as a Human Right."

Meeting: December 12, 1967. Lecturer: Professor David Hayman (English). Topic: "Human Rights and World Literature."

Meeting: January 2, 1968. Lecturer: Professor Willard L. Boyd (Law). Topic: "Whither the Law of Human Rights?"

Meeting: January 9, 1968. Lecturer: Professor Clyde F. Kohn (Geography). Topic: "Human Rights and the Work of UNESCO."

Meeting: January 16, 1968. Lecturer: Professor Alvin H. Scaff (Associate Dean, Graduate College). Topic: "Human Rights and Higher Education."

FINNISH ANNIVERSARY

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. WYATT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. WYATT. Mr. Speaker, Finland is a free and independent state. She achieved her freedom at the time of the Russian Bolshevik Revolution. Since that time she has had to fight Russia twice to preserve her territorial integrity.

It is only fitting that we honor her on this 50th anniversary of her independence as a nation. There are a large number of people of Finnish descent residing in Oregon's First Congressional District, as well as throughout the rest of this Nation. To them I say on this occasion, "you have a right to be proud of your heritage."

I also would like to present at this time an editorial from the Oregon newspaper the Daily Astorian, which extends further congratulations to the Finns and their descendents on this celebrated occasion:

FINNISH ANNIVERSARY

Finland has been one of the US's best friends in Europe, and for many years was the only European nation to pay its World War I debts to this country.

It is fitting and proper therefore that we issue a special commemorative postage stamp honoring the 50th anniversary of Finnish independence.

Finland is a mere youngster among the family of nations, for 50 years is a short national existence, even though the Finns have an ancient culture and civilization of their own.

Bigger neighbors for centuries had political dominance over Finland—for a long time the Swedes, then the Russians.

Finnish independence was one of the fruits of World War II and the Russian Bolshevik revolution, which gave this small satellite nation the chance to shake off Russian control.

Independence was not won easily—Finland had its own bitter civil war between the reds and the white before it achieved national stability. Twice since then, during World War II, Finland had to fight the Russians to preserve freedom. It won once, was licked once, and had to give up some territory, but stubbornly maintained precious independence at a time when other small central European nations all became Soviet satellites, controlled by grim communist puppets of Russia.

Finland has a right to be proud of its 50 years of independence, and is entitled to the honors we give her on the occasion.

M–16 RIFLE

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CHAMBERLAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, I am gratified that the just-released report of the Special Armed Services Subcommittee chaired by the able gentleman from Missouri [Mr. ICHORD], and fully supported by the distinguished chairman of the full committee, the gentleman from South Carolina [Mr. RIVERS], reviewing the performance of the M–16 rifle in Vietnam, addresses itself to the problem of gun lubrication which I have been concerned about for the past year or so.

For months, the Army insisted there was no problem—and that the lubricant many soldiers were mail ordering from home was no good—even though the Marine Corps later tested and approved it for Vietnam. Then last May the Army announced they were issuing another lubricant that they claimed to be superior—and that had been in the inventory since 1959. They also revealed that their lubricating instructions have been improper. Subsequently, the Marine Corps announced it was adopting the new Army lubricant even though its own tests raised doubts about its claimed superiority.

In the face of this confused, mishandled situation the committee recommends that comprehensive independent tests be made to insure that our troops get the very best lubricant. I fully agree—for such a simple thing as a can of oil can be mighty important to a soldier whose life depends on his rifle. It will be interesting to see whether the Pentagon will act on this recommendation.

Mr. Speaker, on July 19, 1967, I discussed the matter of rifle lubrication problems in Vietnam at some length together with providing a documentary history of this controversy. Consequently at this time in order that the RECORD may be complete I insert the section of the subcommittee report dealing with the question of lubrication, appearing on pages 5362 to 5363, at this point in the RECORD:

REPORT OF THE SPECIAL SUBCOMMITTEE ON THE M–16 RIFLE PROGRAM OF THE COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES

LUBRICANTS

With respect to the question of the possible connection between rifle malfunctions and proper lubrication, the subcommittee views with concern the following facts:

1. After months of unequivocally defending the authorized rifle and small arms lubricant (known as VV–L–800 or PL Special) being issued in Vietnam, the Army has acknowledged in its report dated June 1967, that a better lubricant for the difficult environmental conditions of Vietnam has existed in the inventory since 1959, and since late May has been rushing it out to the troops.

2. The special qualities of this purportedly superior lubricant (known as MIL–L–46000A) became known to the Army, according to its own account, as the result of tests designed specifically to weigh the claims of a commercial, molybdenum disulfide base lubricant (known as Dri-Slide), which has won considerable acclaim from many of the troops in Vietnam who have procured it by mail order at their own expense and inconvenience. Without such outside stimulus there is no indication as to when the Army would have reviewed the lubricating qualities of MIL–L–46000A and considered making it available for use in Vietnam.

3. As a further result of this special Army test it was discovered that the official rifle maintenance instructions were improper in that the lubricant was required to be sparingly applied to certain parts of the M–16; and revised instruction prescribing liberal lubrication have been issued as of June 2, 1967.

4. In 1966 the Marine Corps tested, approved, and procured approximately 100,000 units of Dri-Slide as a supplemental lubricant for use in Vietnam along with the authorized lubricant (VV–1–800). According to testimony before the subcommittee on May 16, Marine Corps spokesmen reported that the troop response to Dri-Slide was "very enthusiastic" and that they were in the process of reordering this type of lubricant. It was also stated that a test was being made of the new Army lubricant MIL–L–46000A. In a memorandum dated July 24, 1967, the Commandant of the Marine Corps announced, in releasing the final report of this test that:

a. MIL–L–46000A would replace VV–L–800 as the "standard general purpose lubricant for all small arms."

b. Contrary to the findings of the test and the recommendation of the testing facility, the supplemental lubricant (Dri-Slide) would not be retained in the supply system.

In testimony before the subcommittee on August 8–9, this test, which was identical in scope to the one conducted in 1966, was acknowledged by Marine Corps representatives to have shown that Dri-Slide was "significantly more effective" under dry, sandy conditions and "equally effective" as MIL–L–46000A on the M–16 and M–16A1 rifles under muddy water conditions. However, when questioned as to why the Marine Corps did not accept the results of its own test, the witness disclosed that certain test findings were subsequently rejected on the basis of a further analysis ordered by the Marine Corps. Upon request a copy of this analysis was submitted for the record and the document bears the date of June 30, 1967. Since the final test report dated July 24, 1967, contains no reference to such an analysis or any suggestion that the test was invalid in any way, the subcommittee can only conclude that it was misled by the witness when told that further analysis had caused the Marine Corps to reject the results of its own test. To compound matters, this same Marine Corps analysis, it was learned after study, raised questions about the 1967 Army lubricant test as well.

Therefore, in view of the confused, uncoordinated, crisis-oriented, self-protective manner which has characterized all too much the handling of the matter of rifle lubrication, so vital to the welfare of the foot soldier in the field, the subcommittee recommends that:

The Secretary of Defense—

a. Authorize an independent research facility to conduct a thorough analysis of the tests procedures of the various services to ascertain their reliability; and to conduct such additional tests of such lubricants as are found necessary to clearly establish their effectiveness as lubricants under various conditions.

b. Initiate efforts to improve coordination among the services to insure an orderly, continuous research and development program in the field of weapons lubricants; and to report to the committee the steps he has undertaken to accomplish this.

HIGHWAY, MAIL SERVICE CUTBACKS ARE PHONY THREATS

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. NELSEN. Mr. Speaker, the administration's threat to drastically curtail mail service if Congress cuts spending is as phony and unnecessary as its threat to harpoon highway construction.

The administration is trying to get its tax measure passed by conning the public into thinking essential Government services will be curtailed if Government spending is reduced.

The administration is protecting its pet political programs from cutbacks by threatening needed Government services

and that is all this fuss amounts to. It would have us believe the whole Government would fall if we cut its programs by so much as a nickel. Such a political line is pure hogwash. If we cannot make reasonable reductions in questionable programs at such a serious time for the Nation, we really are in bad shape.

The administration's threat to cut back Federal highway aid by as much as 50 percent as an anti-inflationary move will not reduce the budget deficit whatsoever. The highway trust fund, established by Congress in 1956, is a pay-as-you-build program. It is paid for by highway users through various taxes and the administration has no right to take away from the people what they have already paid for.

It is shamefully misleading to suggest that we can resolve the current financial mess and reduce the extraordinary budget deficit we face by hacking up the highway aid program. The highway trust funds are not a part of the swollen Federal budget.

Cutting our Federal highway program would result in drastic economic consequences, as my mail indicates. I include certain correspondence I have received on the highway matter at this point in my remarks:

STATE OF MINNESOTA,
HOUSE OF REPRESENTATIVES,
October 11, 1967.

Hon. ANCHER NELSEN,
Longworth House Office Building,
Washington, D.C.

DEAR ANCHER: As Chairman of the Minnesota House Highways Committee for years, I have spent countless hours and tremendous effort to develop our highway system. The Legislature this past winter recognized that we were way behind in our highway building program, with many dangerous and unsafe highways, and passed legislation to enable our Highway Department to accelerate its program.

I attended hearings of the Joint House and Senate Public Works Committees in Washington last winter and talked to most of our Congressmen and Senators. At that time we were assured by our delegation that no stone would be left unturned in the restoration of the Thanksgiving Day cutback in Federal highway user funds.

The construction of new and safer highways is the most basic part of the economy of Minnesota. We cannot allow any cutback at all in our Federal highway building program. A cutback would definitely postpone completion of the Interstate System and result in a slowdown of our accelerated highway building program, thereby causing more lives to be lost, less jobs for our people, a slowdown in tourism, and the continued congestion of our metropolitan areas.

I urge you to exert all afforts in every way possible to stop the political maneuvering with our dedicated highway funds.

Very sincerely yours,
AUGUST B. MUELLER,
Chairman, Minnesota House Highways Committee.

ASSOCIATED GENERAL CONTRACTORS OF MINNESOTA, INC.
Minneapolis, Minn., October 10, 1967.

Representative ANCHER NELSEN,
Longworth House Office Building,
Washington, D.C.

DEAR ANCHER: Yesterday Governor Harold LeVander of Minnesota received a telegram from Transportation Secretary Boyd alerting the Governor to a possible "drastic reduction" in federal highway funds because of congressional discussions in federal expenditures.

It seems we only finished the dispute on this subject which was begun last fall by a cut-back . . . and which was finally restored.

Please keep in mind that federal highway funds are trust funds, derived from taxes paid by motorists and is NOT a part of the federal budget. Any cutback in federal funds on highway can be deterimental in employment of our people and to our state's economy—and frankly shouldn't be even under consideration by the Executive branch.

We would appreciate you again doing your best to encourage that no cutback be made in the vital, well-planned, long-range highway program—not only because of the economics involved, but also because the funds were paid in for highways specifically . . . and because many lives are saved each year by good highways.

Will you use your influence to help us? Thanks.

Constructively yours,
WILLIAM H. GARY,
Manager.

CONCRETE PAVING ASSOCIATION OF MINNESOTA,
St. Louis Park, Minn., October 13, 1967.

Hon. ANCHER NELSEN,
Longworth House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE NELSEN: The Board of Directors of the Concrete Paving Association of Minnesota passed a resolution October 11 instructing the Executive Director to forward letters to the Congress of the United States stating its opposition to the proposed cutback in Federal Highway Funds.

This Association will appreciate your support in opposing the proposed cutback because of the economics involved. A cutback will surely slow the highway building program which is so vital to our Minnesota economy.

We, in the Minnesota Highway Industry are working hard to economically build safe highways for our citizens and for those who visit our state. A cutback of highway funds will certainly be detrimental to Minnesota.

Thank you very much.

Sincerely,
L. P. PEDERSON,
Executive Director.

MINNESOTA ASPHALT PAVEMENT ASSOCIATION, INC.,
St. Paul, Minn., October 10, 1967.

To All Congressmen, Representatives, and Senators of Minnesota:

We urge that you oppose a proposed Federal cutback in highway funds. This Federal aid to our state highway program is not a handout. It has been derived from taxes imposed on highway users. Congress has appropriated these funds and a cutback by the administration will be contrary to the studied judgment of Congress. Highways require long-term planning, designing, engineering, construction personnel and equipment. This cannot be turned off and on like a water faucet. It has taken years to develop the skills and efficiency to carry on this vast program. Thousands of people are directly affected by a cutback, and the misery of the countless skilled union equipment operators and other labor employed in this effort throughout the nation will have a good reason to ask why the Federal Government has hurt them. A Federal cutback means a breach of good faith and a breaking of the promises to the states and counties who have their programs planned and budgeted far ahead. This is necessary to have an orderly program. Last Thanksgiving Day, we had a serious blow in a similar cutback. Then last winter, part of this was restored. A few weeks ago, our Federal aid for this fiscal year was announced and things looked pretty steady. Now, another cutback is being threatened and everything is going to be shaky again. It seems that everytime there is a crisis of some kind, that the highway program becomes a target for some purpose or other. Our national and state highway program is too important to be turned off and on like a water faucet. Your efforts to impress this upon the powers that be will be appreciated by many.

JOHN V. HOENE,
Executive Vice President.

MINNESOTA GOOD ROADS, INC.,
Minneapolis, Minn., October 11, 1967.

Hon. ANCHER NELSEN,
Longworth House Office Building,
Washington, D.C.

DEAR ANCHER: We of Minnesota Good Roads, Inc. are greatly disturbed by the telegram received by Governor Harold LeVander on Monday, October 9th, from Secretary of Transportation Boyd.

The monies collected by the Federal Highway Users Fund from gasoline tax and other items is money that should be spent directly on the highways of our country.

A cutback in these funds will do great harm to the economy of Minnesota. It will slow the accelerated highway building program that the Minnesota Highway Department has been geared to due to the additional funds appropriated in the last legislative session. But, most important of all, the lives of many Minnesotans will be lost because the safe highways were not built on time.

We would appreciate any help you can give the people of Minnesota in forestalling any such drastic cutback in Federal highway funds.

Thank you very much.

Sincerely,
ROBERT M. JOHNSON,
Executive Director.

HALL EQUIPMENT INC.,
Minneapolis, Minn., October 12, 1967.

Hon. ANCHER NELSEN,
The House of Representatives,
Washington, D.C.

DEAR SIR: This letter refers to the suggested cut-back in the Federal Highway Funds, and we strongly urge you to do all possible to combat such a measure and to propose the completion of the present Highway Building Program as scheduled. Our Highway network in Minnesota is presently very inadequate.

This Highway Program should be expanded and accelerated, not cut back.

A cut-back would definitely be a great economic loss to our State.

Your efforts to prevent such a curtailment in this Program is requested.

Yours very truly,
W. F. HALL,
President.

MINNEAPOLIS, MINN.,
October 11, 1967.

Congressman ANCHER NELSEN,
House Office Building,
Washington, D.C.:

Re contemplated cutback highways funds. No cutback should be effected to further postpone completion of Federal Highway system. Postponement will result in continued congested metropolitan areas, less jobs for workers, more lives lost. Federal highways are a vital portion of national defense. Vote no for any cutback.

S. J. GROVES & SONS CO.

CITY OF ANCHORAGE URBAN BEAUTIFICATION

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Alaska [Mr. POLLOCK] may

extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. POLLOCK. Mr. Speaker, the city of Anchorage is doing its utmost to correct the misconception the many residents of the lower "48" have that Alaska is the deepfreeze State.

In 1966, the Anchorage Chamber of Commerce awarded the highest honor, the Gold Pan Award, to the parks and recreation department for their city beautification program. This is the first time such a city department has been so honored. In 1967, the chamber again recognized the efforts of the department and awarded the "oak leaf cluster." Again this action made history, as no organization or individual had ever been so honored on 2 successive years.

On October 18, 1967, the city of Anchorage received the Certificate of Merit Award from the American Association of Nurserymen. This was the result of the Anchorage entry in the public building beautification category of the association's beautification contest. Anchorage was one of 34 cities so honored out of a total of 80 entries.

The Federation of Garden Clubs recently held their conference in Anchorage and the national president publicly stated she had never witnessed floral displays with such intense color and profusion of bloom. Nineteen hundred and sixty-seven is Alaska's centennial year and an expanded beautification program was undertaken by the parks and recreation department and the results were highly gratifying. A large floral Alaska centennial seal drew much favorable comment as did new street planters in the downtown business area. These planters are a modification of the Washington, D.C., trash containers used by the National Park Service.

Anchorage continues to astound the thousands of summer visitors who come to the largest State. They return with the full realization that they have visited an amazing land whose colorful summers are a large factor in disproving the old cry of Alaska being Seward's folly.

GODDARD'S JUDGMENT GONE TO POT

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, while I am trying to convince my three daughters that they should not smoke, my urgings are blasted by an alleged expert who says that marihuana is not any more objectionable than a cocktail.

I must agree with Dr. Robert W. Baird that this alledged expert, Dr. James L. Goddard, Commissioner of the Food and Drug Administration, resign.

Dr. Goddard apparently lacks the facts and good judgment. He has stated that the effects of marihuana, presumably the long-range effects, are unknown. And evidently from this position he concluded that there was nothing wrong with its use until the final effects become known.

This is as absurd as saying that we do not know the final effects of atomic radiation so do not be upset if your children carry around a bit of U–238 as a pocket piece.

In addition, as Dr. Baird points out:

He ought to realize that 97 other nations who signed the Narcotics Convention of 1965, of which we were a part, can't be all wrong in realizing that marijuana is detrimental.

I submit for the RECORD an article from the Washington Evening Star, and one from the New York Times, both dated October 19, 1967.

What Dr. Goddard does within the limits of his home and family is his business, but statements such as these, made by a public official in that capacity and supposedly as an expert, are the business of the public which he is hired to serve. I hope their calls for his dismissal are loud and clear.

[From the Washington (D.C.) Star, Oct. 19, 1967]

GODDARD URGED TO QUIT FOR MARIJUANA VIEWS

NEW YORK.—Dr. Robert W. Baird, director of a Harlem narcotics clinic, demanded today that Dr. James L. Goddard resign as commissioner of the Food and Drug Administration "for equating marijuana on the same plane as alcohol."

Goddard told a news conference in Minneapolis, Minn., earlier in the week he doubted whether smoking marijuana was more dangerous than drinking alcoholic beverages but that both distorted perception of reality. He cautioned that long-term effects of smoking marijuana may be more serious than now is known.

"I don't believe smoking marijuana leads to an addiction to stronger drugs," said the food and drug chief. "It is true most heroin users have smoked marijuana, but it is also true most heroin users have drunk milk. I have seen no proof there is any connection."

(He said he would not object any more to his college daughter smoking pot than he would to her drinking a cocktail, United Press International reported.)

Baird said Goddard's comments had done "irreparable damage across the college campuses as well as in the high schools." Baird is chairman of the Suffolk County, Long Island, Narcotics Control Commission and director of the Haven Narcotics Clinic in Harlem.

In Washington, Goddard issued a statement saying he did not dismiss the difference between smoking marijuana and having a cocktail.

"We do know physical and mental penalties that the alcoholic must pay; these are well documented. For the user of marijuana, the threat is of the unknown effects which science must yet determine," Goddard said.

He noted that possession and use of marijuana carried very severe legal penalties but the use of alcohol did not. In Minneapolis, he said he thought penalties for marijuana should be limited to sale or distribution—not possession. He added he did not favor legalizing marijuana completely because of the need for more research on its effects.

[From the New York Times, Oct. 19, 1967]

PERIL OF MARIJUANA AND THAT OF ALCOHOL EQUATED BY GODDARD

MINNEAPOLIS, October 18.—Dr. James L. Goddard, Commissioner of the Food and Drug Administration, said yesterday "whether or not marijuana is a more dangerous drug than alcohol is debatable—I don't happen to think it is."

Dr. Goddard said that he favored removing all penalties for the possession of marijuana, leaving penalties only for its sale or distribution.

"We don't know what its long-term effects are," he said. "For example, we don't know whether or not it may alter the chromosomes, as LSD may do. I wouldn't want young women who haven't been married and had children yet to be affected.

"It distorts your perception of reality so it's dangerous if you are driving a vehicle or operating heavy equipment."

Dr. Goddard was asked if he would object to his son or daughter using marijuana. He has a son, Bruce, 19 years old, and two daughters, Margaret, 21, and Patricia Ann, 18, in college.

"We've discussed this at home," he said, adding:

"I would object in terms of the law today and any possible long-term effects."

He said that he did not favor "legalizing" the drug completely but favored the removal of all penalties for simple possession.

"We need more research on chronic use," he said, "and I think this research will start now."

Dr. Goddard's comment on marijuana came after a lecture on business responsibility to an assembly at the University of Minnesota. He told that group that he would answer questions on any subject except marijuana.

But the first question at a news conference that followed was on marijuana. It was then that he gave his views on the subject.

VIEWS ARE ASSAILED

Dr. Robert W. Baird, a campaigner against marijuana and other narcotics, assailed Dr. Goddard's comments last night and demanded his resignation as head of the Food and Drug Administration.

Dr. Baird said that Dr. Goddard's comments had done "irreparable damage across the college campuses as well as in the high schools."

"This man's knowledge of narcotics is notoriously poor," Dr. Baird said. "Before he makes comments off the cuff, he ought to realize that 97 other nations who signed the Narcotics Convention of 1965, of which we were a part, can't all be wrong in realizing that marijuana is detrimental.

"I am surprised at him as a doctor. I am really mortified."

Dr. Baird, who is the director of the Haven narcotics clinic in Harlem and the chairman of the Suffolk County Narcotics Control Commission, said that he was "unequivocally" demanding Dr. Goddard's resignation "for equating marijuana on the same plane as alcohol."

A symposium on narcotics will be conducted by Dr. Baird today at the New York Hilton. About 1,000 college and high school students are expected to attend.

Dr. Baird said in a telephone interview that he would produce a dozen youngsters who had become involved in accidents of one kind or another after smoking a marijuana cigarette.

TARGET: LABOR

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, in June

1966, the Senate Internal Security Subcommittee released a statement by J. Edgar Hoover, Director of the FBI, concerning the 18th National Convention, Communist Party, U.S.A.

Concerning labor unions, Mr. Hoover stated:

We can anticipate that the party, using the slogan "labor is a key force," will make every effort to increase its recruitment of industrial workers. This objective was brought out during the trade union report which placed emphasis on the need for industrial concentration in the Midwestern areas. Specifically mentioned were such cities as Chicago, Detroit, Cleveland, St. Louis and Pittsburgh. This helps to explain why 18 members of the party's new 80-member national committee were elected though relatively unknown except that they were labor unionists.

In his statement Mr. Hoover also stated that George Meyers, Baltimore Communist Party leader, admitted that weaknesses existed in the area of labor. It might well be that the Communist Party in the United States has never fully recovered from the rough treatment given to them by the labor movement some years ago when a number of unions were kicked out of the CIO for Communist domination. However, if a statement by British Labor Minister Ray Gunter is any criterion, it would behoove us to be on our guard here in the United States.

He charged that Communists had entered into an unholly alliance with elements of the Trotskyist party, to foment strife in British labor relations.

I include the article, "Strikes Peril Our Recovery, Wilson Warns," from the Chicago Tribune of October 19 at this point in the RECORD:

STRIKES PERIL OUR RECOVERY, WILSON WARNS—GUNTER BLASTS RED INVOLVEMENT

(By Joseph Cerutti)

LONDON, October 18.—Prime Minister Harold Wilson and Labor Minister Ray Gunter today warned that the labor troubles now afflicting industry threatened Britain's economic recovery.

Gunter accused the Communist party of fomenting discontent and "plotting to make this a winter of disruption."

Wilson delayed a visit to Scotland to confer with Gunter and Frank Cousins, head of the Transport and General Worker's union, who returned to Britain today after cutting short a visit to the United States and Mexico.

SOME 127 SHIPS IDLED

The hour-long discussion centered mainly on the strike in London and Liverpool docks which has tied up 300 million dollars worth of exports. More than 14,000 stevedores and 127 ships were idled today in the two ports. So far there is no indication that the government plans emergency measures, such as calling in troops, to move the goods choking warehouses.

Another wildcat strike has crippled a major development project in the heart of London and strikes are also threatened on the railroads, provincial bus services, and in electrical and printing industries.

Wilson told luncheon guests here today that he was shocked by the holdup of exports. He warned that failure to deliver on time might endanger repeat orders.

CANNOT AFFORD LUXURY

"We cannot afford the luxury of industrial action which chokes the pipelines thru which our exports are flowing," Wilson said.

Speaking at Gillingham, 35 miles east of London, Gunter criticized union leaders for having lost control over members in some areas.

"The official leadership is met with derision and contempt and only too typical communistic tactics are employed to prevent them from getting a hearing at meetings," he said. "There is a viciousness about some of the thugs most active in leading unofficial action that is alien to our traditions."

CHARGES UNHOLY ALLIANCE

Gunter charged the Communists had "entered into unholy alliance with elements of the Trotskyist party."

"They aim," he said, "to destroy our hopes of economic recovery and thereby they hope to bring ruin to the social democratic movement."

The minister warned union leaders that they must demonstrate their ability to carry responsibility. If they failed, he hinted, the government might step in to restore order.

THE MEANING OF RESPONSIBLE PROTEST

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. BURKE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. BURKE of Florida. Mr. Speaker, I am sure my distinguished colleagues have noticed in past months the vehement antidraft movement and the sharp turn it is currently taking. This turn is exhibited by a mass movement of protest to our draft system and to the war in Vietnam. The dissenters have been building steam for months, and this week it appears that the antidraft effort is ready to explode in ugly demonstrations across the Nation.

I am not one to stifle protest or curb dissent, as I dearly value our basic freedoms. But I truly wonder if these long-haired hippies really know the meaning of responsible protest.

We all know our country was founded by fervent believers in free expression. Throughout our history there have been protests and dissents for one cause or another. But these protests in our Nation's past were to build and develop a better America—they were not cast to disparage our own country, to cast a low morale key, or to aid and abet the enemy.

Our system of the draft, whether it be perfect or not, is a system established by law. And the law must be obeyed or we have anarchy on our hands. I believe the momentum being developed by these current antidraft protestors is leading to more and more anarchy in this country. I believe this open protest flaring in several cities by these long-haired, unbathed creatures of our times has reached a point of real danger. Just this week the Vietcong openly announced that they will cultivate these protest groups to further encourage antidraft movements in the United States and even encourage desertion within the ranks of our own military men in Vietnam.

Let us look at these protestors. Some of these cardburners have been using the excuse of school exemption to avoid their military obligation. According to recent reports, some of these so-called students have entered college and do not even bother to attend classes. They have used their entrance into college as a means to avoid the draft. To me and, I am sure, to a number of you and to all in America, this entire matter is disgusting.

It is one thing to have constructive protests, to encourage free speech. But it is quite another thing to give aid and comfort to the enemy during wartime conditions in which American lives are at stake. The administration and the Congress must get tough and rectify this most dangerous situation before our Nation's morale reaches a far more critical point, and we find ourselves puppets at the hands of smiling Communist puppeteers.

Mr. Speaker, I would like to suggest two measures which may help curb these disgraces. I would hope, first of all, that the proper authorities would exercise some initiative and immediately round up these hippies, have orders processed for them, and turn them over to some rugged military basic training center for some good training. If they qualify, following their 8 weeks of basic training at Parris Island, Fort Benning, Fort Hood, or any of the many other fine military training centers in the United States, they can then fulfill their 2-year obligation to their country. That is, if they qualify. A good stiff dose of basic training may be all these people need to bring them back to the realities of this world.

Second, I would recommend that those young men of draft age status who flee to another country to avoid the draft should be given the opportunity to return to this country. But if in due time this is not done, action should be taken to remove his citizenship.

These may be drastic actions, Mr. Speaker, but these are drastic times. If these long-haired protestors want to remain citizens of America like several million others, they must start facing the responsibility this citizenship requires. And this responsibility does not mean a pipefilled dream world of flowers.

DR. GODDARD'S POSITION ON MARIHUANA

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, I think Dr. James L. Goddard, Commissioner of the Food and Drug Administration, owes Congress an immediate "yes or no" answer on whether or not he advocates removal of all legal penalties for possession of marihuana.

If the answer is "Yes," then I intend to ask him to resign so that we can remove any possibility that American youth may conclude that the U.S. Government condones the use of marihuana.

It may be argued that Dr. Goddard's opinions do not constitute a position by the U.S. Government itself. While in a narrow sense this is true, I doubt that those who ply the marihuana trade—particularly among our youth—will make that distinction when quoting the doctor.

Most of my colleagues are aware of what Dr. Goddard is reported to have said yesterday at a press conference at Minneapolis, Minn. His comments were widely quoted by the Nation's news media. But I will summarize briefly for those who may not be familiar with Dr. Goddard's purported position.

According to a story which appeared on page 1 of the New York Times today, Dr. Goddard said he favored removing all penalties for the possession of marihuana. His grounds for this position, according to the Times, is personal doubt that marihuana is a more dangerous drug than alcohol.

It should be noted that Dr. Goddard did not, as quoted by the Times, go so far as to give dope pushers carte blanche, for he indicated that penalties for sale or distribution should continue to exist.

However, the great harm which has been done is not modified in the slightest by this shading. There can be little doubt that Dr. Goddard's apparently permissive attitude regarding marihuana possession will encourage the young to engage in what may be dangerous practices—and embolden those who would corrupt the young.

I cannot prove that marihuana can cause personality or genetic damage, but on the other hand, Dr. Goddard, by his own admission, cannot prove that it does not—and in fact indicates that the question is serious enough that researchers are today trying to pinpoint the truth. In view of this, it would seem unconscionable to tamper with the possession laws.

However, the harm which may or may not be done by marihuana itself is not, in my opinion, the main issue here. I am far more concerned by the theory held by many—myself included—that marihuana is a tall half-step toward the use of demonstrably harmful drugs such as heroin.

During my service as a U.S. attorney, I had many opportunities, unfortunately, to observe the victims of drug addiction—and the vicious men who led them down the primrose path of supposedly harmless thrills.

With these people in mind, I say that Dr. Goddard should set the record straight if he does not advocate the removal of penalties for possession of marihuana—or otherwise resign.

THE RIGHT TO DISSENT?

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. GROSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. GROSS. Mr. Speaker, in this morning's CONGRESSIONAL RECORD I read a dissertation entitled "The Johnson Administration and the Right to Peaceful Dissent."

This afternoon, I had the opportunity to read the plans and program for the march on Washington, October 21 and 22, 1967, which is designed as a demonstration to end the war in Vietnam.

I believe Members of the House will find the following plans, program, and instructions, as issued to the prospective demonstrators, quite interesting:

GOVERNMENT WITHDRAWS ULTIMATUM—PERMITS EXPECTED FOR MARCH AND RALLIES

(By Dave Dellinger, chairman, national mobilization committee)

Latest indications are that the permits for Saturday's march and two rallies will be in our hands by the first of the week. This is a reversal of the government's ultimatum of October 6 that there would be no march, no rally, and no provision for the discharge and pickup of bus passengers, unless the committee publicly repudiated the civil disobedience portion of its program.

We were greatly aided in winning this important victory by the unanimous vote of the Mobilization Administrative Committee to reject the government's ultimatum and by the widespread support for the Committee's position that came in by mail and telephone from all over the country. On Friday, we had warned the government to expect a larger and more militant crowd in response to its attempted suppression. When we met with them again, in two lengthy sessions this week, we were able to cite concrete evidence to back up our warning. Among other things, we informed them that speakers who had not committed themselves to civil disobedience at the Pentagon—men like Julian Bond, Dr. Benjamin Spock, Rev. William Sloane Coffin, Jr., and Don Duncan—had indicated their determination to speak at the rally, *with or without a permit.* We were able to tell them that a wide variety of groups, including Women Strike for Peace, Veterans for Peace, Students for a Democratic Society, and the Committee for Independent Political Action, had responded to the government's threat by announcing that they expected to double the number of participants coming from their organizations. We told them of the formation of a panel of prestigious lawyers to fight for our first amendment rights, both in and out of the courts. This panel is being organized by the Law Center for Constitutional Rights (William Kunstler, Arthur Kinoy, Morton Stavis and others), the American Civil Liberties Union, the Emergency Civil Liberties Union, and the Washington Lawyers Committee for October 21st, headed by Edward De Grazia.

Naturally we made no request for "permits" for the civil disobedience part of our activities at the Pentagon. What kind of civil disobedience would that be? But we pressed the case for permits and all necessary accommodations and facilities for a massive rally at the Lincoln Memorial, for a massive march to the Pentagon, and for a rally, picketing and vigiling at the Pentagon. For whatever reasons, we found the government's representatives ready to work out the details of permits and other necessary arrangements.

Because of the size of the crowd expected and the resulting "traffic jam" of marchers, the time for the speeches at Lincoln Memorial has been advanced to 11:30 AM and step-off time for the march to the Pentagon to 1:30 PM. Musicians and other artists will perform from 10:00 to 11:30 AM and again from 1:30 PM until the Lincoln Memorial has been emptied. A second rally will take place at the Pentagon, beginning at 3:30 PM and continuing until about 5 PM. The exact location of the Pentagon rally is one of the last items being negotiated.

The government has set aside an area near the Mall Entrance to the Pentagon where "administratively allowed" picketing and vigiling can take place. Plans for direct action—for blocking entrances or for substitute actions if we cannot get close to the entrances—are being worked out by the Direct Action committee. There will be special marshals for the civil disobedience action.

The civil disobedience will begin at the Pentagon about 4 PM. Naturally there will be thousands who take part in the march and rallies but who for a variety of reasons will not take part in the direct action. We have provided maximum geographical separation between the other activities and the civil disobedience so that no one will be drawn by accident into the civil disobedience activity or any arrests or conflicts that might result. Personally, I hope that thousands of persons will feel the urgency of taking part in nonviolent civil disobedience in addition to the traditional march and rally, so that we can move impressively into a new period of determined resistance.

If all goes well, the hippies will have a concert featuring the Jefferson Airplane, the Fugs, and other rock bands in a grassy area in the vicinity of the Lincoln Memorial but far enough from the speeches so that the sounds of the two events will not conflict. The hippies also plan an "exercism."

We expect thousands of persons to stream into Washington on October 21, representing a diversity of viewpoints and temperaments. Whatever our differences—our disagreements even—let us remember that we are united in the overriding goal of ending the war in Vietnam, to save the lives of Americans and Vietnamese slaughtered daily, and to make it possible for the Vietnamese to enjoy the independence they have sought for so long.

REVISED CONFRONTATION SCHEDULE

Saturday, Oct. 21: 10:00 a.m., *Assemble.* 11:30 a.m., *Rally* at Lincoln Memorial. 1:30 p.m., *March* to Pentagon begins. 3:30 p.m., *Rally* at Pentagon. 4:00 p.m., *Direct Action:* peaceful sit-in for those thousands who wish to participate *Supporting pickets and vigil. Rally* continues. 9:00 p.m., *Mass meeting* (location to be announced at rally).

Sunday, Oct. 22: Confrontation continues with direct action and supporting pickets and vigils.

Important: Please communicate the information in this bulletin to your constituencies immediately. Take it on the bus too.

THE RALLY

Contingents will assemble in the following groupings:

A Notables, including representatives of veterans and draft resistors. B Religious groups. C Veterans' groups. D Pacifists. E We Won't Go groups & The Resistance. F Students & Youth. G Vietnamese contingent. H Nationalities. I Black Nation's Viet Conference. J Professional groups (medical & health workers should be in front of group). K Midwest contingent. L Middle Atlantic & Southern. M Washington, D.C. contingent. N Political groups. O Community groups. P Community groups. P New England. Q Organized labor. R Adult peace groups. S N.Y. State. T Womens groups. U Artists & Entertainers.

Speakers will include: Dave Dellinger and Julian Bond (co-chairmen); Dr. Benjamin Spock; Lincoln Lynch (CORE); Clive Jenkins, (British Labour Party); Mrs. Dagmar Wilson (Women Strike for Peace); Donald Duncan (former Master Sgt., Green Berets); Rev. William Sloane Coffin; Juan Mari Bras (Puerto Rican independence movement); John Wilson (SNCC); Father Charles Owen Rice; and Rabbi Abraham Feinberg. Barbara

Dane, Phil Ochs, the Jefferson Airplane and the Fugs will be among the entertainers.

HOUSING

The housing center in Washington is at 1607 Corcoran NW; follow New York Ave. to 16th St.; turn right up 16th; Corcoran is one block past Q St. There isn't a phone there yet, but there will be by the 21st, so call 536-4375 in Arlington for referral to the housing center phone.

All efforts will be made to place everyone requesting housing, but it is impossible to take care of everyone. *Those within a 350 mile radius of Washington* are urged not to request overnight accommodations unless they have specific commitment for Sunday.

Host families have not been requested to provide meals; breakfast will probably be served. Those staying in churches will not have cooking facilities or bedding. Bring all available sleeping bags and blankets.

Housing volunteers will meet the buses as they arrive to give further information. They will also hand out a list of available hotels. Hotel rates now available are:
Minimum $3.50 per person—3/room.
Minimum $7.00 per person—2/room.

Food: Everyone is urged to bring as much food as he thinks he will need and can comfortably carry.

Money: We don't have any either. Please try to send as much as you can to help pay for sound equipment.

TRANSPORTATION

Arrangements have been made for buses to discharge passengers on Independence Ave., directly south of the Lincoln Memorial reflecting pool. Buses will then receive instructions on where to park for the duration of their stay. It will be in the vicinity of the Pentagon North Parking Lot. If there are people who do not want to march to the Pentagon, shuttle buses will be available at the end of the Lincoln Memorial rally to transport them to their bus site.

Note for those traveling on New Jersey Pike on chartered buses: The rest stop will be Mile Post #71 between interchanges 8 and 8A.

MARSHALLS

Every bus/train/plane/car caravan should have at least one marshall: they will be responsible for getting their contingent to the right part of the assembly area; for information; order; lost children; first aid; calming demonstrators, and calming counter-demonstrators. All marshalls should equip themselves with light blue armbands: a limited number of these are being prepared for New York City and for last minute distribution, but please try to get your own. Marshalls should seek out marshall captains at the rally for further instructions. Very important marshalls meeting in Washington, Fri., Oct. 20 at 9 PM for all those who can make it (if you can, call Mobilization office in DC for location). Address further questions about marshalls to: Brad Lyttle, Wash. Mob., 2719 Ontario NW, 387-3626. Norma Becker, 5th Ave. Vietnam Peace Comm., 17 E 17 St. NYC, 255-1075.

MEDICAL INFORMATION

Complete medical facilities will be made available at the Lincoln Memorial by the DC Dept. of Health. The Medical Committee for Human Rights has offered its services to join in legal-medical teams which will observe and assist throughout the demonstration. They will also be cooperating with authorities to establish first aid centers on Pentagon grounds. Medical team center is located at 2719 Ontario Rd. NW; phone: 483-2150 and 483-2153.

A WORD TO THE WISE

Permits for the rallies, the march, the picketing and vigiling on the mall of the Pentagon have been assured us. Problems may arise, but serious trouble is unlikely, especially for those not committing civil disobedience. This is a peaceful demonstration. Be militant but don't be provoked or sidetracked. Our purpose is to protest the violence of the administration, not to contribute to it. Before coming to the demonstration, participants should think through their actions in different situations. People will always have different responses, but in general the following policies are good: Attempt to remain calm. Be firm but not provocative. Violent situations are made worse by violent responses or frightened retreat. Make it your responsibility, also, to calm others. In most situations, it is better not to run. If you run *from* the police, you may encourage them to be bullies. If you run *at* them, you may cause them to panic and act irrationally. Remember: the police are often scared when dealing with a crowd. If you can act toward them in a way that makes them less so, they are much less apt to behave irrationally. And of course: follow the directions of marshalls. Don't accept or spread rumors. Check with the marshalls for accurate information.

SLOGANS FOR OCTOBER 21 DEMONSTRATION IN THE DISTRICT OF COLUMBIA

The Mobilization suggests the following slogans to be used on Oct. 21. Those marked with asterisks will be printed in mass quantities by the Committee. The remaining slogans will be hand painted in smaller quantities. All groups and individuals are encouraged to bring their own placards, utilizing these slogans or slogans of their own choice. The slogans represent a range of views and not all the participants will necessarily agree with all of them.

"Confront the Warmakers"
"Support Our Men in Vietnam—Bring Them Home Now . . . Alive!"
"Self-Determination for Black America and Vietnam"
"Immediate Withdrawal of all U.S. Troops: Vietnam for the Vietnamese"
"End Armed Occupation of Black American Communities"
"No Taxes for the War Machine"
"End the Draft—Support the Men Who Say No"
"Children Are Not for Burning, Stop the Bombing of Vietnam"
"Free the Fort Hood Three; Free All Anti-War GIs in Jail"
"No Puerto Ricans to Vietnam—Ningun Puertorriqueno a Vietnam"
"Stop Persecution of H. Rap Brown and All Anti-war Militants"
"Big Firms Get Rich—GIs Die"
"Support Muhammad Ali and All Those Who Resist the Draft"
"Black People: 23% of the GI Dead; 2% of the U.S. Bread—WHY?"
"Negotiate with the National Liberation Front"
"No Vietnamese Ever Called Me a Nigger"
"Americans Support Vietnamese People, Not U.S. Puppets"
"Make America Safe for Stokely Carmichael and All Anti-War Fighters"
"U.S. Violates U.N. Charter"
"End All U.S. Interventions Against National Liberation Movements"
"Wipe Out Poverty, Not People"
"Black Men: Fight White Racism—Not Vietnamese"
"They Are Our Brothers Whom We Kill—Dump Johnson"
(at the bottom of each sign: Stop the War Now)

LEGAL DEFENSE

We have a team of 38 D.C. lawyers and 110 law students who have researched the legal aspects of the demonstration and will handle any legal involvements. Some will be on the scene and others will manage the legal center at 2719 Ontario Rd NW, telephone 483-2150 and 483-2153. They will be where all the action takes place and will undertake to represent any arrested demonstrator from the moment of arrest.

The Mobilization Committee is not in a position to raise all bail and people planning to participate in civil disobedience are urged to make their own provisions; this would mean bringing at least $50, or if it is possible, $100, with them.

Some individuals and groups will adhere to a jail/no bail policy because they feel that paying bail impoverishes the peace movement and enriches the government. Attempts are also being made to raise bail for emergency purposes and for those who just don't have it.

IMPORTANT PHONE NUMBERS

National Mobilization office in Washington: 2719 Ontario Rd NW, 387-3626.

Legal and Medical Information: 2719 Ontario Rd NW, 483-2150; 483-2153.

Housing; Lost and Found: 1607 Corcoran NW, 536-4375 (Arlington)—will refer you to correct number.

MESSAGE TO BLACK PEOPLE

Black people across the nation disagree with the Mobilization's concentrated emphasis on the Pentagon. Therefore, all Black people are urged in the interests of Black American unity to gather at the Lincoln Memorial rally under the banner "Black Nation's Viet Conference" where we will then go to the Black community of Washington to discuss the issue of Vietnam and its meaning to Black America and Black American survival. Black marshalls will be guides to the conference; speakers will include Leroi Jones, H. Rap Brown, Ivanhoe Donaldson, Larry Neal, John Wilson, Adaylabu Adeigbol, and Omar Pasha Abu Ahmed. Omar Pasha Abu Ahmed, Political Bureau Black American People's Liberation Movement.

FOR THOSE PLANNING TO PARTICIPATE IN CIVIL DISOBEDIENCE

If the march to the Pentagon proceeds according to plan, direct action will begin at 4:00 pm, following an announcement by Dave Dellinger. A small committee will have surveyed the situation, and, depending on the nature of police preparations, will have instructed Dave to announce one of three alternatives:

1) We will enter the Pentagon and sit down in offices, in meeting rooms, and across hallways.

2) If this seems impossible, we will block doorways and entrances.

3) If police and armed forces make this impossible, we will clog service roads, preventing deliveries and obstructing vehicles.

Trained marshalls will guide people to the spots where they will be most effective. We are urging local groups to organize orientation sessions so that potential participants may understand the nature of the action.

In case of attack, we should attempt to remain as calm and unaggressive as possible. Violent situations are invariably made worse by violent responses. Our purpose in Washington is to confront the violence of the administration, not contribute to it. Various self-protective techniques have been developed to blunt the force of physical attack. It is strongly recommended that local groups hold orientation meetings prior to the march to familiarize the participants with these techniques. In any event, listen to the instructions of the marshalls, attempt to control your natural anger or fear, and remain calm.

If police start making arrests, one technique is to impede their progress by going limp, *i.e.*, making the police carry you to the paddy wagon, rather than walking. Going limp is considered a form of resisting arrest in Virginia, but not in DC. Its advantage is that done *en masse*, it prolongs the action for hours, sometimes days.

Other suggestions:

1) *Listen to marshalls.*

2) Don't answer back to counter-demonstrators.

3) Those who are engaged in a sit-down should *keep seated.* If we begin to mill around, police are more likely to panic and initiate violence.

4) Remember that running and sudden motions also worry and panic the police.

5) Wear comfortable clothes: closed shoes, long sleeves if possible, no jewelry. Remove pins and other sharp items.

6) It is remotely possible that police will use tear gas, in which case it would be useful to have a wet cloth or handkerchief to cover your mouth and nose (the cloth is easy to carry in a plastic bag).

7) In case of tear gas or anything similar, remain calm, listen for instructions from marshalls, retreat calmly to a safe spot, and *always remain with a group.*

8) Make it your own responsibility to keep the situation cool and to calm panicky people. *Remember: police themselves are often scared when dealing with a crowd. If you can act toward them in a way that makes them less frightened, they are much less apt to behave brutally.*

We do not intend to rush police lines, or to attempt to enter the Pentagon by force. Nevertheless, we will persist in a determined effort to impede its operations, and to stand our ground for as long as this is feasible—at least until Monday noon, Oct. 23.

We hope that people in your group can contribute other suggestions. Be sure to have a meeting, before you set out for Washington, to discuss nonviolent tactics.

A CALL TO CREATIVE DISRUPTION OF THE WARMAKERS, OCTOBER 21–22 (FOR ALL THOSE PLANNING TO PARTICIPATE IN CIVIL DISOBEDIENCE)

(By Maris Cakars, Barbara Deming, Marjorie Heins of the Direct Action Committee)

How many miles have we walked in protest?
How many signs and letters written?
How high and how often have we raised our voices? How many words?
Hardened to the bloody slaughter in Vietnam, deaf to the cries of grief and agony, and cynical of freedom and independence, this nation's leaders choose not to see or hear us.
War is not a peaceful demonstration. Its makers are killers, not marchers.
Who then will deny it—that now is the time for direct action?
For the speeches and placards and marches fall short of the mark.
Fall short of the centers of power.
Now is the time to confront the warmakers!
Now is the time to disrupt and resist!
We call on all Americans to peaceful and direct action at the Pentagon.
Sit in; lie down; stand firm.
In every way, let our bodies block the machinery of war.
And this will be a signal to all across the land:
Resist the warmakers,
Disrupt the juggernaut,
Close down the war machine,
Now, before it is too late.

BOW EXPENDITURE LIMITATION

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. BOW] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. BOW. Mr. Speaker, this summary of the economy debate of the past 4 weeks might well be called an "open letter to taxpayers." Our work in the House during that period has given American taxpayers the first real reason to hope that spending can be checked and tax increases may be avoided and inflation can be brought under control.

The action of the House yesterday, if sustained by the other body, must save American taxpayers at least $5 billion. It may save $10 billion. This saving is guaranteed by the Bow expenditure limitation which says that the President may not spend more than $131.5 billion in the fiscal year, except for essential and unforeseen expenses of the war in Vietnam. Inasmuch as he has estimated his spending at $136.5 billion, we are assured the $5-billion saving. And, since his agencies were spending in July and August at an annual rate of $145 billion, we may be saving twice that amount.

The first intimation that the House was ready to cut expenditures came September 27 when we sent back to the Appropriations Committee its 30-day "spending as usual" resolution. We did so on a rollcall vote of 202 to 181. The Bow expenditure limitation had been ruled out of order, but the debate that day was centered on that amendment and many people, including the Associated Press, interpreted the action of the House as a "mandate" to the Appropriations Committee to cut spending.

Then followed the debate of October 3 when, once again, the Bow amendment was ruled out of order. But, progress had been made. The chairman of the Appropriations Committee, the gentleman from Texas [Mr. MAHON] told the House that our committee would make every effort to find means of cutting back appropriations already recommended. The House voted to allow until October 10, for that effort. The Senate extended the date until October 23. Yesterday's debate was occasioned by that approaching deadline.

The resolution presented yesterday by the Democrat majority illustrated a remarkable and commendable change of direction, as a result of the previous debates. It would have saved at least $1.5 billion by placing a 30-day moratorium on new hiring and contracts, by limiting civilian payroll expenses to 95 percent of the budget estimate, by limiting research to 90 percent of the budget estimate, and by requiring that agencies absorb all of the cost of the civilian pay increase.

In this action the majority embraced the Bow expenditure limitation which had been offered on six of the regular appropriations bills. Bitterly opposed by the majority last spring, it was adopted on only two of the bills. This Bow amendment limited all the expenses of an agency to 95 percent of its estimated expenditures and it would have saved $778 million had it been accepted on these bills.

Although the Mahon resolution was a great step forward, Republicans insisted that it did not go far enough. I offered, and the House accepted, the Bow expenditure limitation of $131.5 billion.

The House then substituted the Whitten amendment, with the Bow limitation. The resulting bill provides that spending may not exceed the level of the previous year except for the necessary military expenses in Vietnam, the Post Office and Internal Revenue services, veterans' and social security payments, and a few other items.

The final rollcall vote was 253 for and 143 against.

This is a resounding victory for the taxpayers.

It is a gratifying vindication for the Republican leaders who have been urging economy since the first days of this session.

In the early days of the session, Republicans had little support for these efforts and our victories were few and far between.

Yesterday that situation was changed, and the welcome support of many Members from the majority party gave us the margin of victory that we have lacked throughout the year.

Summing up our activities to date, we have cut the appropriations bills considered in the House by about $4 billion. We may be able to raise that figure to $6 billion before the session ends. Since not all of the money authorized in these bills is to be spent this year, the savings cannot be estimated precisely. They should reach $3 billion to $4 billion.

Two amendments by the gentleman from North Carolina [Mr. JONAS], who is second ranking Republican on the Appropriations Committee, cut participation certificate sales by nearly $2.5 billion.

The Bow limitation on the Whitten amendment would hold spending to $131.5 billion.

These are solid accomplishments, but I should like to point out that savings of an additional $2 billion might have been made if over 40 other individual Republican amendments to appropriations bills had been accepted by the House.

Members of the House can expect to be subjected to heavy pressure in the next days and weeks from all of those who have a special interest in Federal spending. The White House can be expected to lead the attack on our economy drive. Taxpayers will be threatened with reductions in Government services, towns and cities will be threatened with curtailment of various programs, and every effort will be made by the bureaucracy, with its vested interest in spending, to bring pressure on us to restore spending cuts and reverse our position. I hope Members will stand firm, for the vast majority of Americans, struggling under the heaviest burden of taxation in history and fighting the most vicious inflationary spiral in many, many years, are supporting us and they need our help.

CONGRESSIONAL REDISTRICTING—CONFERENCE

The SPEAKER pro tempore (Mr. CASEY). Under a previous order of the House, the gentleman from Minnesota [Mr. MACGREGOR] is recognized for 10 minutes.

Mr. MACGREGOR. Mr. Speaker, on the afternoon of October 18 the committee of conference on the bill H.R. 2508, the congressional redistricting bill, finally reached agreement. That agree-

ment was not unanimous. Among the House conferees the gentleman from Michigan [Mr. CONYERS] and I did not sign the conference report and did not agree to the compromise reached. Among the Senate conferees, the Senator from Massachusetts, TED KENNEDY, did not agree.

The text of the conference agreement of yesterday reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 22 of the Act of June 18, 1929, entitled "An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives" (46 Stat. 26), as amended, is amended as follows:

Subsection (c) is amended by striking out all of the language in that subsection and inserting in place thereof the following:

"(c) In each State entitled in the Ninety-first Congress and the Ninety-second Congress to more than one Representative under an apportionment made pursuant to the provisions of subsection (a) of section 22 of the Act of June 18, 1929, entitled "An Act to provide for apportionment of Representatives" (46 Stat. 26), as amended, there shall be established by law a number of districts equal to the number of Representatives to which such State is so entitled, and Representatives shall be elected only from districts so established, no district to elect more than one Representative (except that the States of Hawaii and New Mexico may continue to elect their Representatives at Large). *No State shall be required to redistrict prior to the 19th Federal decennial census unless the results of a special Federal census conducted pursuant to the provisions of the Act of August 26, 1954, as amended (71 Stat. 481; 13 U.S.C. 8), are available for use therein. Nor shall any State prior to such census be required to elect its Representatives at Large."*

As will readily be seen, the committee of conference quite unexpectedly abandoned the bulk of the agreement which had been reached in June of this year. The contents of that agreement are to be found in report No. 435, a document entitled "Congressional Redistricting," filed on June 27, 1967, and ordered to be printed. No satisfactory explanation was given in the committee of conference as to why we had abandoned section 1 of the bill as passed by the House, section 1 of the bill as passed earlier this year by the Senate or, more importantly, section 1 of the conference report heretofore agreed upon by the conferees and filed, as I have indicated, in late June.

The essence of the material abandoned was the "permanent standards" section of the congressional redistricting bill. The conferees in June agreed in substance to accept, and to recommend for acceptance to their respective bodies, the language of section 1 of the House bill. When this passed the House, section 1 provided standards for State legislatures to follow in congressional districting for the 93d and subsequent Congresses. These standards were, as follows, and I now quote from report No. 435, dated June 27, which was the initial agreement of the conferees:

First. When a State is entitled to more than one Representative, there shall be established by law a number of districts equal to the number of authorized Representatives.

Second. Representatives shall be elected only from such districts so established, no district to elect more than one Representative. Existing provisions for a Representative at Large are eliminated.

Third. Each district shall be composed of contiguous territory, in as reasonably a compact form as the State finds practicable.

Fourth. The district with the largest population shall not exceed by more than 10 percent the district with the smallest population in number of persons, excluding Indians not taxed.

Fifth. Population shall be based on the then most recent decennial census, but if a State redistricts more than 2 years after a decennial census, the population figures to be used must be those of a statewide Federal special census conducted pursuant to the provisions of the act of August 26, 1954 (71 Stat. 481; 13 U.S.C. 8), and said census must be less than 2 years old at the time of the next election following the redistricting.

Sixth. Unless the particular State constitution requires otherwise, there shall not be more than one redistricting following the decennial census.

Mr. Speaker, I point out again that these "permanent" provisions were agreed to by the conferees, that they did constitute a very fine set of standards to be used in congressional districting following the 1970 census.

The conference report which was filed on June 27, adopted this section in the form as passed by the House of Representatives.

Now, Mr. Speaker, I see no justification for throwing aside months and months of effort by both the House Committee on the Judiciary and the work which was done in this Chamber, as well as the work which was performed by the Senate Judiciary Committee, and the work performed by the other body, to establish reasonable and widely accepted permanent standards for congressional redistricting. Yesterday's developments were particularly surprising since the conferees had heretofore agreed upon the language that we would recommend be enacted into law.

There surely is no justification for having to replow this ground all over again. But, if the conference report is to be adopted, this current conference report which is nothing more than a very sketchy outline of certain prohibitions regarding the establishment of congressional districts for the next two Congresses, we will indeed have wasted a great deal of time and effort.

On tomorrow, Mr. Speaker, I shall introduce a bill which will incorporate the provisions of the October 18 conference report, and which will include the provisions of the conference report of June 27 insofar as those provisions apply to permanent legislation dealing with congressional redistricting after we have up-to-date figures following the 1970 census.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. MACGREGOR. I yield to the distinguished gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Speaker, I appreciate the gentleman from Minnesota yielding to me at this point. I do not wish to take much of the time of the gentleman and of the House since I am not particularly qualified to undertake a thorough and searching study of this subject. However, my State, the great State of Missouri, is one of the States that is having to undergo a test of its legislative redistricting action and, indeed, there are other such States, as I have learned in the last 24 hours, which have indicated a deep interest in this matter.

And, Mr. Speaker, if the gentleman in the well, who brings to us for our consideration such a timely subject, would comment upon the efforts which are now being made in the Congress as represented by the efforts of the Joint Committee on the Reorganization of the Congress, and which legislation is now pending before the Committee on Rules, having passed the other body by an overwhelming vote, if this recommendation of the joint committee were adopted, we would have the right to present minority views in conference reports which is, in essence, what the distinguished gentleman is so appropriately doing as he stands in the well of the House today.

However, I hope that the gentleman will go one step further. If this situation is as bad as the gentleman indicates, I would hope that we would take the necessary action against the conference report, since the gentleman does not see fit to sign it. However, I would like to ask the distinguished gentleman what effect the adoption of this conference report would in his opinion have upon the various statutes that are now under consideration for judicial determination pending actions of the various legislatures as, for example, the great "Golden Bear State," the State of California, which cannot come to a decision on this matter? In other words, would it or would it not be unfair to adopt this conference report which, of course, is legislative instruction with reference to the law and to the courts of the land?

Mr. MACGREGOR. In my opinion the answer varies. It varies with the individual three-judge court. But I believe the majority of the conferees would give the gentleman a different answer. Other conferees might tell you that this new language, if adopted by Congress and signed into law by the President of the United States, will constitute a mandatory restraint upon the Federal judges. I do not think so. I think that any particular judicial action or reaction will depend upon the individual attitudes of the judges named to the three-judge panel.

Mr. HALL. A decision to be reached which would involve the separation of powers of the three branches of the Government?

Mr. MACGREGOR. That is my opinion, I will say to the gentleman from Missouri.

The SPEAKER pro tempore (Mr. CASEY). The time of the gentleman has expired.

(By unanimous consent, Mr. MACGREGOR was allowed to proceed for 1 additional minute.)

Mr. MACGREGOR. I did not respond to the comments of the gentleman with respect to my intentions to act further.

In addition to introducing a new bill tomorrow which will incorporate what is

now adjudged to be the joint opinion of the majority of the conferees, I will incorporate the earlier provision in the conference report dealing with permanent standards, and I see no reason why we should not accomplish this. I believe this would produce a much better legislative product. And I would hope that when this body considers the question of adopting the conference report we might send it back to conference with instructions to incorporate the provisions of the bill that I will introduce tomorrow.

I believe we will then have made a satisfactory attempt to deal with this subject not only for the interim period preceding the 1970 census, but also in the post-1970 census period.

Mr. HALL. Again I compliment the gentleman, and I certainly will join him in this effort.

Mr. MACGREGOR. I thank the gentleman very much.

THE IRS AND A RECENT MAGAZINE ARTICLE: A REBUTTAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, an article published by the Reader's Digest has been a cause of deep concern to many of my constituents. I refer to "Tyranny in the Internal Revenue Service," written by John Barron.

The article, citing 16 specific cases, accused the Internal Revenue Service of using gross methods of intimidation and pressure against taxpayers, and of misusing its powers to tyrannize innocent and conscientious taxpayers.

If all of the facts stated in the 16 cases are true, then it is creditable that they were assembled and made public. There can be no harm in bringing errors and misdeeds of public employees to the attention of the public. It is the best way I know of assuring the American people that such things will not happen again.

But there is an important element of unfairness in the article's approach, which is worthy of the closest scrutiny by the Members of the Congress. I refer to the clear implication that these 16 cases are typical of IRS methods in performing the important duty of collecting taxes.

This is an unfair implication, and its unfairness was quite clearly shown by the testimony of Sheldon R. Cohen, Commissioner of Internal Revenue, before the Subcommittee on Appropriations of this House.

Mr. Cohen is an outstanding public servant, a dedicated and conscientious Commissioner, whose task it is to carry out one of the most complicated laws in the world, collecting each year the $148 billion which pays for all the services and all the functions of the U.S. Government.

Mr. Cohen's thousands of employees deal with 100 million taxpayers, who file 70 million income tax returns each year. The IRS, under his administration, operates so fairly and so efficiently that 48 million refunds put $7.5 billion back into the pockets of taxpayers each year, with most of the refunds made within 45 days from the date the return is filed.

In a statement replying to the article in the Reader's Digest, the IRS recalled that the magazine said its writer, in his determination to seek the truth, spent 6 months in research, traveled 5,800 miles, and held 280 interviews.

This massive enterprise resulted in 16 instances of alleged wrongdoing by IRS, considered worthy of inclusion in the article—

The Revenue Service pointed out.

Certainly, this observation needs little additional comment. Surely, 16 cases out of millions hardly add up to "tyranny."

The IRS cited the fact that the Reader's Digest article admitted that most IRS agents "want to be just and reasonable," but laid the so-called "tyranny" at the door of "the system."

While in the course of a year, 3.5 million taxpayers are called in to substantiate their deductions and claims—

The IRS said—

some 25 million are given help and information as to their obligation and their rights, as part of this "system."

The article referred several times to "unrefuted sworn testimony" on which it based its charges. This, said the IRS, was testimony before a congressional subcommittee at hearings, not statements made during trial in a court of law. The IRS statement went on:

Americans who have seen court trials know that "sworn testimony" does not always produce the complete truth, unless there is cross-examination by the defense attorney and testimony of other witnesses to bring out the whole story. In the subcommittee hearings, there was no cross-examination of witnesses.

Certainly, nobody concerned with the rights of the vast majority of American taxpayers can take any issue with efforts to recover taxes which are owed and unpaid. It must be clear that when one taxpayer does not pay his taxes, all the rest of us must make up for his share.

The article concerned itself mainly with the 1.9 million taxpayers whose returns were found to be in error, and who paid additional taxes, but it did not tell what happened to the remainder of the 3.5 million returns that were selected for examination during the year.

The IRS said:

Of those 3.5 million, over 1.3 million taxpayers were notified that their returns were accepted without change and 300,000 other taxpayers received $154 million in refunds, because examination showed they had made errors which caused them to overpay their tax.

These figures were not used in the article, presumably because they would not jibe with the statements that IRS agents are judged by the "alleged errors" they find and "how often they bring in more dough."

Obviously, thousands of IRS agents and auditors, who found errors in some returns but also reported "no change" in 1.3 million returns or gave refunds in 300,000 cases, were trying to do their job in line with IRS policy to determine the correct tax—no more, no less.

In addition, the article did not point out that IRS refunded $82 million to 1.4 million other taxpayers who made mistakes in arithmetic and overpaid their taxes—further evidence that IRS seeks only the correct tax.

To the article's charge that high IRS officials tried to "cover up and withhold data," the Revenue Service made this reply:

The facts are that in addition to more than a hundred letters and reports submitted to the Senate Subcommittee by IRS, some 50 officials and employees were instructed by Mr. Cohen to testify fully and frankly. These included, besides Mr. Cohen himself, an assistant commissioner, regional commissioners, division directors, district directors, branch chiefs and supervisors.

The only data withheld from being spread on the public record by the subcommittee was information which cannot be disclosed because of specific provisions of the law or which identified innocent third parties.

The IRS statement pointed up a basic fault of the article, when it characterized as a "gross oversimplification" the idea that the Revenue Service, "at its whim, can seize a taxpayer's assets."

Collection of taxes from those who will not pay voluntarily is a necessary procedure in extreme cases, in fairness to those who do pay.

However, only when there is an overt action on the part of a delinquent taxpayer to purposely dissipate his assets or to take them out of the country will the IRS seize assets without warning.

In every other case, a person who owes taxes is given ample opportunity to pay voluntarily. He is given several written notices, afforded conferences and, if warranted by his financial condition, part payment agreements are worked out. Enforced collection is made only as a last resort.

Most important of all, I feel, in the IRS statement, is the assurance that the door is never closed between the taxpayer and the higher echelons of the Service:

Through the years, IRS has invited taxpayers to write to their District Director or to the Commissioner in Washington, D.C., when they think a mistake has been made or they have received unfair treatment. This invitation continues in effect with assurance that IRS will consider every valid complaint and will take corrective action wherever warranted.

Mr. Speaker, as I said earlier, only 16 cases of the many millions handled by the IRS were cited, and even if every word of every statement about these 16 cases were true, it would certainly not add up to "tyranny," or anything approaching it.

And yet, even in those 16 cases, there remain doubts and questions of interpretation. It is unfortunate, from the standpoint of equity, that the Reader's Digest, as the vast and popular magazine it is, has a much more certain forum for getting its own interpretations to the people than does the IRS, which must depend upon the limited space available in the daily press for its channel of communication.

However, even the specific cases mentioned in the article must be considered with understanding. It may be that there have been a few isolated instances of unscrupulous procedure by a few of the thousands of the employees in the Internal Revenue Service. But I challenge any agency, of any government, to prove that among the armies of people who work for the public, at least a few do not show

up as less perfect and less just than their fellows.

We are all familiar with the great efforts made by private industry to retain the services of skilled people. It is surely all the more important in Government, which frequently has difficulty in competing with industry for the abler people in its employ.

Let us not, then, make the job more difficult by using an all-too-ready tarbrush to splatter the thousands of the good and honest and conscientious with the misdeeds of the few. Let us rather be thankful that in this free, democratic society, the misdeeds can be brought to light fairly and the errors—whether of omission or commission—can be speedily eradicated.

Let us be as prompt to praise the efficiency, ability, and conscientiousness of the Commissioner of Internal Revenue and the legions of good people who work in his agency, as we are to criticize the few who do not meet the high IRS standards.

AIR QUALITY ACT ESSENTIAL

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. JACOBS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. JACOBS. Mr. Speaker, air pollution has been a subject of growing national concern for more than a decade.

It has been studied and analyzed, graphed and charted, and talked about, but it has not been removed. It still hangs over our cities, threatens our health, and destroys our property.

Every community with over 50,000 people has an air pollution problem. This represents more than two-thirds of our population.

Air pollution causes economic losses estimated at $11 billion a year. Even more important is the overwhelming evidence that air pollution is a factor in the development and worsening of such chronic respiratory diseases as asthma, bronchitis, emphysema, and lung cancer.

The problem is real and it is getting worse.

In January of this year, the President reminded us that air pollution worsens in direct proportion to the Nation's economic growth, increases in urban population, rising demands for heat and energy, and upward trends in the use of motor vehicles, production of refuse, and production and consumption of manufactured goods.

Clearly, it will not be long before air pollution reaches truly critical proportions in many parts of the country. What happened last Thanksgiving in New York, where severe air pollution cost more than 160 lives, was not an isolated occurrence; it was an omen of things to come.

As President Johnson has suggested, we must strengthen both our research efforts and our regulatory activities if we are to succeed in dealing with the menace of air pollution. The bill reported by the Committee on Interstate and Foreign Commerce would help the Nation do both.

It provides for the acceleration of research needed to advance our knowledge of control methods, and it calls for standard-setting on a regional basis, which is a logical way to attack the problem.

I am endorsing the proposed Air Quality Act because I believe that it is a logical and essential step in the Federal Government's efforts to mount a truly comprehensive national attack on air pollution.

Every provision of this legislation will help bring us closer to the day when all Americans can enjoy their surroundings without fear or danger.

THE UNITED STATES SHOULD BACK POLICY ON AIRCRAFT ARRESTING GEAR

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. OTTINGER. Mr. Speaker, during the past several weeks I have called to my colleagues' attention a number of areas in which the Federal Government could be moving to promote aviation safety. One of these is the development and use of aircraft arresting gear which could save lives and prevent the destruction of multimillion-dollar aircraft in the event of runway overruns and aborted takeoffs. While this equipment is by no means a total answer and should not be represented as an alternative to longer runways where those are possible, aircraft arresting gear can make a critical difference at airports where runways cannot be lengthened.

It is unfortunate, in my view, that the attitude of the Federal Aviation Administration toward aircraft arresting gear has been negative. The fifth Aerial Navigation Conference of the International Civil Aviation Organization will be held in Montreal next month. One of the items on the agenda concerns the establishment of an international policy with respect to aircraft arresting equipment. There are indications the United States will oppose the establishment of any affirmative policy on the issue, although as far back as 1962 the FAA conducted a successful series of tests to establish the feasibility of such gear.

Members of the House and Senate should be aware of this. I urge my colleagues to express their support for a positive, meaningful air safety program by joining me in urging the responsible officials to insist that the U.S. policy on the aircraft arresting gear question be an affirmative one.

For the information of my colleagues, I present for inclusion in the RECORD the text of a letter I have today sent to the Secretary of Transportation:

OCTOBER 19, 1967.

Hon. ALAN S. BOYD,
Secretary of Transportation,
Department of Transportation,
Washington, D.C.

DEAR ALAN: The fifth Aerial Navigation Conference of the International Civil Aviation Organization will be held at Montreal, Canada, commencing November 14. As in past years, the United States will be represented at the conference.

Question 3 on the agenda calls for an examination of recent progress in the development of aircraft arresting gear and a study of the possibility of adopting a standardized gear in the event that international airports will be equipped with them. This is a matter of serious concern to me. The development of aircraft arresting devices was a matter I emphasized in proposing to the Federal Aviation Administration last month a twenty-point air safety program. In my view, FAA's delay in completing the testing and certification of aircraft arresting gear and its failure to require such equipment at major airports is deplorable. It raises serious questions regarding the FAA's willingness and ability to establish and implement a safety program that will meet the demands of aviation's rapid growth in this country.

It is my understanding that an inter-governmental committee on which are represented the Department of Transportation, FAA, Civil Aeronautics Board, Department of Defense and Department of State is in the process of developing a U.S. policy paper on this and other items on the ICAO agenda. I have also learned that the FAA is strongly resisting a policy statement in favor of aircraft arresting equipment. On the other hand, I am reliably informed that the Governments of France and Great Britain have adopted policies favoring such equipment and are dismayed at the intransigence of the United States in this regard.

From our discussions, Alan, I know you are vitally concerned that the Government meet the challenges of aviation growth, not only in regard to safety, but in other areas as well. As a pilot, you are well aware that the Armed Forces have been using aircraft arresting equipment successfully for years, for land-based as well as carrier-based aircraft. The Air Force credits the hook and cable gear it has used since 1951 on its land bases with saving some 250 aircraft every year. The FAA completed a successful series of tests at its Atlantic City research center in November 1962. It subsequently continued to "study the situation" with representatives of the airline industry and even went so far as to promise a decision by January, 1965. As far as anyone can determine, they are still "studying the situation."

In 1964, officials of the FAA gave some indication that they favored arresting gear as an added safety factor but were not willing to force the airline industry to accept it. Unfortunately, this has all too often been the FAA's attitude toward air safety, regardless of the fact that the urgency of the need for and the feasibility of a particular program has been established.

In one 12-hour period in April 1964, three commercial aircraft—two Boeing 707 jets and a prop-jet Electra—overran runways at New York airports. Fortunately, there were no fatalities. But there were deaths and injuries, not to mention substantial economic losses, in the more than 40 reported overshoots in the period 1954–1964. And you will recall the tragic loss of 130 lives in the aborted take-off of an Air France jet from Orly field in Paris in June, 1962.

It is significant that some airline officials share my view that the new generation of jetliners, with their vastly increased weight and higher landing speeds make even more urgent the need for increasing the safety

factor in the event of a miscalculation or malfunction during take-off or landing.

Also, the phenomenon of aquaplaning—the loss of tire friction on wet pavement—continues to plague the airline industry. When today's heavy aircraft hit a film of water on a runway they frequently keep going despite braking efforts and the engines' reverse thrust. I am informed that when an aircraft wheel aquaplanes, it comes to a complete stop and if this condition lasts more than three seconds on a jet, the anti-skid system is automatically deactivated. Yet, FAA officials continue to emphasize improving reverse thrust capability and advocate grooving runways to increase braking power (although these groves would tend to ice up in cold, damp weather).

As you know, a number of companies have developed aircraft arresting gear capable of halting today's largest jets. I hold no particular brief for any of these firms, but in view of the fact that the state of the art has progressed to this point, I simply cannot understand the refusal of the FAA to require this equipment where it is needed. I am aware that the gear would not be inexpensive; estimates run between $300,000 and $1 million per runway. But we must keep in mind that this equipment is designed to prevent the destruction of aircraft costing millions of dollars, not to mention the lives involved.

I hope that you Alan, will recognize the urgent need for the United States to take the lead in promoting aviation safety and the ICAO conference offers a unique opportunity. I respectfully request that you take all necessary steps to see that our government adopts a favorable policy with respect to the conference agenda question on aircraft arresting equipment and moves ahead to require such equipment at the larger civilian airports.

With best wishes.

Sincerely,

RICHARD L. OTTINGER,
Member of Congress.

COMMUNITY DEVELOPMENT IN COLOMBIA

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. OTTINGER. Mr. Speaker, having been privileged to participate in the planning and development of the Peace Corps, I am always pleased to bring to our colleagues' attention another one of the Corps' successful programs. I am particularly happy when it involves one of my constituents and, even more so, in a program which I helped to initiate.

For the past 2 years, Mr. Davis Loretan, of Valhalla, N.Y., has been serving as a Peace Corps volunteer in a community development program in Colombia. This type of program basically involves helping other people help themselves. A volunteer will enter a community and assist the residents in organizing and deciding upon needed and worthwhile projects which they would like to undertake as a community. The volunteer will then help the residents to execute the project and obtain such outside assistance as may be necessary. The goal of community development programs has been accurately described as bringing people together toward a common goal.

Mr. Speaker, I commend Mr. Loretan for his dedication and exemplary service and congratulate him for being awarded the Order of the Saman by the people of Colombia. I believe his work is another example of the fine work being done by the Peace Corps overseas and I am delighted to insert herewith, for inclusion in the RECORD, the following article:

[From the Reporter Dispatch, White Plains, N.Y., Sept. 22, 1967]

HE HELPS COLOMBIAN PEASANTS HELP THEMSELVES TO BETTER LIFE

(By Lorretta Lynde)

VALHALLA.—Feudalism exists today, even in the Western hemisphere, and it is the goal of David Loretan, son of Mr. and Mrs. Joseph Loretan of 337 Columbus Ave., to try to do something about it.

Mr. Loretan returned today to Oiba, Santander, Colombia, in South America. The community has been his assignment in the Peace Corps for two years and he is now beginning a third year, an extension of the usual term.

The people of Oiba seem to have recognized and appreciated what Mr. Loretan has done for them. Before he left to come home, he became the first North American to receive "The Order of the Saman," a silver medal with a gold tree on it. The tree represents one growing in the town of Oiba and is symbolic of the community spirit there. It was presented to Mr. Loretan for the "effect he had had on the community."

STEPINAC GRADUATES

Mr. Loretan, a 1961 graduate of Stepinac High School, holds a political science degree from St. Michael's College in Winooski, Vt. He joined the Peace Corps in 1965 and went to Colombia in September of that year.

Assigned to Oiba as a community developer, Mr. Loretan had a variety of duties, most of which involved organizing the communities and the peasants who lived in them. The peasants, accustomed to having the government contribute to projects sporadically, had trouble imagining themselves actually asking for what they needed. In communities like Oiba, such funds are handled by regional capitals (in this case, Bacaramanga) which are one equivalent to state capitals here.

The most difficult people to reach, Mr. Loretan observed, are the peasants of the veredas, small communities located on the large farms which surround communities like Oiba. These people have a difficult time making ends meet with their meager coffee crops and small salaries from large farms.

VERY RICH, VERY POOR

The peasants represent one end of the balance of two classes, prominent in most South American countries—that of the very rich and the very poor. Though some of the rich do contribute to improvement projects for the peasants, not all of them do, and the overall contribution does not amount to much.

Peace Corpsmen like Mr. Loretan visit the veredas and attempt to build interest and community spirit so that these people can accomplish improvements within their communities. With the help of the Peace Corps, the Federation of Coffee Growers has begun to aid these communities of peasants. The federation buys the coffee and returns the profits in the form of partial expenses to build the schools and improvements.

Mr. Loretan says it is best if the people contribute part of the funds and effort themselves so that they gain a sense of involvement in their school. "In schools that the government itself built, the people tend to think of the school as belonging to the government," stated Mr. Loretan.

SEEK NATURAL LEADERS

"When we go into a community like this," says Mr. Loretan, "it is best for us to try to find the natural leaders of the community. These people are best to help us organize the projects to earn funds and work on various projects."

The peasants in Mr. Loretan's assigned community raised money with such projects as bazaars including lunches, dancing and games, and with such activities as taking down old unrepairable buildings and selling the materials. The proceeds of these efforts were used to match the money given by the Coffee Growers and the government.

Schools are the major project for workers like Mr. Loretan. One school has been finished since he arrived in Oiba and he expects another to be finished when he returns. "The length of time it takes to complete a school in these towns depends on the community and upon its leaders," he says.

When Mr. Loretan returns, he will work for a time in the same community and will later go to the regional capital to aid new and current Peace Corpsmen in an administrative capacity.

"These people are wonderful," Mr. Loretan smiles, "and I'm delighted to be able to go back."

NATIONAL FOUNDATION OF LAW

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CELLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. CELLER. Mr. Speaker, the American legal system is undergoing extraordinary strains in an effort to meet the rapidly mounting demands upon it. We all have heard of the "law explosion" that has led the massive backlogs on the civil dockets of courts throughout the Nation. And never, of course, have the demands on our system of criminal justice been as heavy or as complex.

These new strains, reflecting both the rapid population growth and our ever more complex way of life, are further complicated by vastly expanded efforts at bringing the full protection and benefits of the law to the poorest segments of our population, and by vital new efforts at making the law and legal institutions more responsive to developing public needs and expectations.

The legal profession and the law schools have made valiant efforts to keep pace with these new demands. But each limited step forward has revealed a dozen more that should be taken. Their experience has made it clear that the law, the framework for all our social and economic processes, is the poorest of stepchildern when it comes to allocation of resources, both public and private, for research and education. And there is little reason to believe this imbalance, resulting in a serious lag in legal research and training, will be changed under present policies of the funding agencies and organizations.

It is against this background, Mr. Speaker, that I introduce today a bill to create a National Law Foundation to promote improvement in the administration of justice and in legal education and research.

This bill has been in preparation for many months in cooperation with the American Bar Association, the Association of American Law Schools, and the American Association of Law Librarians. Each group approves the bill as drawn.

The new Law Foundation, with the overall charge of improving the administration of justice, also would pursue programs designed to upgrade the quality of legal services and to make the law and its institutions more responsive to public needs. It would support legal education through grants to individuals, law schools, nonprofit organizations for continuing legal education, law libraries and other facilities for legal training. It also would initiate and support programs of research, in cooperation whenever appropriate, with Federal, State, and local agencies as well as private educational and research institutions including law schools and bar associations. It further would provide support to improve the Nation's law schools through scholarship and fellowship programs and grants to institutions.

The proposed Law Foundation, under direction of men expert in the practice of law as well as legal education and research, would focus attention directly on many of the most critical problems of our time.

It would, in short, provide for the vital and expanding field of law the great coordinating and supporting services available to the sciences through the National Science Foundation and to medicine through the National Institutes of Health. It is clear, Mr. Speaker, that comparable support is needed if our legal processes and institutions are to continue to provide the framework necessary for ordered progress in all aspects of our national life.

JOHN B. TURNER IS MR. MIAMI

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. FASCELL. Mr. Speaker, few men have contributed of themselves to their community to the extent to which John B. Turner has in Miami.

The Miamian magazine has recently honored him by selecting him as Mr. Miami, and this recognition is richly deserved.

Mr. Turner's activities in behalf of the community have been most numerous, but one of his outstanding contributions has been his service as chairman of the Dade County Community Task Force which was established in cooperation with the Federal Government to cope with the problem of thousands of Cuban refugees who have poured into the area in the last few years.

I commend to my colleagues the Miamian article which describes but a few of Mr. Turner's many efforts to make Dade County a better place to live for all:

PLAN FOR THE NEXT GENERATION

Everything being done today, should be done for the people and the city that will be here 50 years from now, according to John B. Turner.

Turner, one of Miami's civic leaders, looks at the community as he believes it will be in the future.

"I always at least try to look ahead. Never go back, and never look back except to learn and benefit from experiences and history," he said.

In his 17 years in the Greater Miami community, Turner has guided the helm of most every major community effort.

He has been president of the Miami-Dade County Chamber of Commerce, the United Fund, Operation Amigo, South Florida Boy Scout Council, Downtown Kiwanis Club and chairman of the board of the Economic Society of South Florida, to mention only a few.

One of the most recent major involvements was as chairman of the board and executive committee of the Dade County Community Task Force, and organization stated at the expressed wishes of the President of the United States to insure that there be no adverse economic effect on the Greater Miami area from the Cuban Refugee Airlift inaugurated nearly two years ago.

"The Task Force was an unusual organization. We had to go looking for problems to solve. We found plenty of them, and found solutions to some such as assisting in obtaining more adequate federal funds for the education of the Cuban children in the Dade School System, helping work out the problems of the Cuban dentists, and other similar problems," Turner said.

Turner had also been a member and vice chairman of the Dade County Community Relations Board.

"If there is one group that could do more in less time, it would be an organization composed of a community relations board and a task force. With connections and influences both within the community and in Washington, such a group could be effective in obtaining federal funds to help build Miami-Dade Junior College, the proposed state university, and in obtaining funding for Aerojet-General, and other projects which the federal government could participate in which would stimulate the economy and aid industry," Turner believes.

But without such a group, the momentum must come from within the community to accomplish overall goals.

"People are coming to Florida, and business goes where people are," Turner said. "The population trends show over two million people by the 1980's and they are probably right. We must prepare ourselves for the next 50 years. We can't simply plan for the next few years or even few decades.

"The major problems of this area stem from the people who settled here 50 years ago. They lacked vision. They didn't build for a population of a million persons.

"We are still in a pioneer era. There are still the opportunities here that there were 20, 30, or 50 years ago. Sure, Miami Beach has already been developed, but the same kind of opportunities exist if you look for them."

Turner believes that it is the duty of each generation to provide the necessities, such as school, for the next generation.

"On this point," he said, "Dade County has an excellent reputation. Our schools are excellent for what we had to work with. But here again, taxes are going to have to be raised, or bonded indebtedness incurred, so that we can continue to grow, expand and build more schools, housing, sewers and all the other things that a society needs and will be needing in the coming years."

Part of the planning ahead is looking for new job opportunities for the growing population.

"Miami must encourage new industry to move in, new industry which will provide jobs for the population which in turn will need housing, education and other products and services.

"I don't mean just big industry. Big companies would be nice, but don't forget the smaller plants. They're even more important if you have enough of them," Turner emphasized.

Turner believes that it is the duty of the entire community to help encourage a good business climate, and the organization to work through is the chamber of commerce.

"The value of the chamber of commerce to this community can only be limited by the time and the interest that's put into it by the business and professional people," Turner emphasized.

Initial steps, he believes, have been taken to start Miami on the road to further progress. Review of the state and local government, a strong look at taxation and problems of the future, the new Doxiadis plans for redevelopment of downtown, are all a step ahead.

"But we must take action if we want the problems to be solved. I am all for private enterprise implementing these things, but not if it takes another 25 years. We have been struggling and struggling, and nothing gets done. Let's accept it and implement it, either in whole or in part, or reject the whole thing.

"Maybe the only way we can get the plan finished is for some government group to go in and get it done. Otherwise, the Doxiadis plan will be just another report."

Turner, a retired vice president of Cities Service Oil Co., has helped to implement many ideas and plans in this community. As president of the Community Television Foundation of South Florida, Inc., he was instrumental in obtaining a more progressive programming policy for the station.

In other areas, he serves as an elder of the Miami Shores Presbyterian Church, trustee of the Florida Presbyterian College, on the executive committee of the Florida State Chamber of Commerce, and a director of the Dade National Bank of Miami.

Prior, he had been on the regional board and dinner chairman for the National Conference of Christians and Jews, active for over 20 years in the American Red Cross and chairman of the Dade County chapter.

To top them all, however, was the American Red Cross' 1967 award to him as "Man of the Century."

CERTIFICATION OF MOTOR VEHICLE MECHANICS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. GIAIMO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. GIAIMO. Mr. Speaker, I have today introduced a bill to establish a program for the voluntary certification of motor vehicle mechanics by the Secretary of Transportation and to assist the States in establishing programs for the compulsory licensing of auto mechanics.

I have been concerned for some time, Mr. Speaker, that the auto owner is not receiving adequate service from many auto mechanics. Once the owner of a car discovers that something is wrong, he is at the mercy of the auto mechanic.

A recent survey taken by the New York based Citizens Committee for Metropol-

itan Affairs reported that 60 percent of the garages to which a malfunctioning automobile was brought turned in completely false diagnoses. We are all aware that these practices go on in every area of the country and are due either to untrained mechanics or to outright fraud.

The purpose of my bill is the voluntary licensing of auto mechanics who meet certain standards as prescribed by the Secretary of Transportation. The mechanic who meets such standards and receives certification would be able to hold himself out to the public as a reputable skilled craftsman. The individual car owner would then be able to determine whether he is going to a good mechanic or, like the 600, is riding blindly into the valley.

The certification of good mechanics by the Department would also serve as a lever to encourage the less skilled either to upgrade their skills or to get out of the business.

My bill, Mr. Speaker, would also provide grants to those States which enact compulsory programs of licensing and would include the cost of apprenticeship or training programs for mechanics.

I want to emphasize that I have introduced this bill in order to generate study and discussion of this very real problem. It is in no way a final solution to the situation but rather a beginning.

Mr. Speaker, I include at this point in the RECORD a newspaper article from the New York Times and a Columbia Broadcasting Co. editorial which bear upon this problem:

[From the New York Times, Sept. 27, 1967]

GARAGES HERE FAIL A SPOT REPAIR TEST

A study of 19 automobile repair garages here has shown that only five accurately diagnosed a minor engine defect and that the repair cost estimates ranged from no charge to $40.

"Eleven garages—60 per cent of those surveyed—turned in completely false diagnoses," the Citizens Committee for Metropolitan Affairs reported yesterday.

Speaking at a press conference, William F. Haddad, president of the committee, said that its survey had shown "a shocking scarcity of well-trained mechanics" and "a desperate need for fair-price guidelines in automotive repairs."

The committee is a nonprofit civic organization formed in 1964 and composed of approximately 700 members. In the words of Mr. Haddad, they are "young professionals, Wall Street types."

Participation in the group, which is financed by assessments on the members and the 18-man board of directors, is strictly voluntary, and members are assigned to serve on one or more of its 18 subcommittees. In keeping with its policy of serving the public as an "aggressive ombudsman," the committee recently investigated Surrogate Court patronage practices and drug prices in New York State.

The automotive survey was conducted by volunteers headed by Thomas Boyd, a returned Peace Corpsman who taught mechanics in India. Nineteen independent service areas were selected with standard market sampling techniques that correlate neighborhood income with population density. This selection method, according to the committee, gave a cross-section of garages that was "representative" of automotive repair centers for the entire state of New York.

A 1966 Oldsmobile Vistacruiser station wagon, with 27,000 miles on the speedometer, was selected as the test vehicle. Members of the test team were taught how to measure the distributor point setting and how to alter this setting from the manufacturer's recommended specification of 30 degrees.

Before entering each service station, a member of the survey would adjust the point setting to 42 degrees; otherwise the car was said to be in "excellent condition."

The point setting regulates the firing of the spark plugs in the engine.

According to Mr. Haddad, this particular alteration was selected because the type of engine malfunction it produces—a very rough engine, with loss of power and difficulty in starting—should be recognized by "a kid in high school mechanics class" as being caused by an improper point setting.

The survey reported, however, that most of the 19 mechanics consulted were inclined to recommend a full tune-up—at prices ranging from $14 to $40.

In one instance the mechanic listened to a description of the car's performance and, without leaving his desk to inspect the car, suggested: "Probably needs a tune-up—$22.05."

At another midtown garage on the East Side of Manhattan, a man who did not claim to be a mechanic but said he was "familiar" with the car, said:

"Sounds like it needs a tune-up. If it hasn't been tuned within 10,000 miles, you should have it done."

Cost: $35.

Other mechanics were apparently baffled by the problem. One, who worked at a lower East Side gas station checked the spark plug wires, changed the fuel mixture settings on the carburetor, readjusted them to nearly the same position said: "Must have been some dirt in the carburetor."

Only one mechanic of the five who correctly diagnosed the trouble correctly identified the problem immediately. He readjusted the points without charge.

On the basis of these investigations, the report concluded that "except for the few cases of satisfactory service, the mechanics were not willing to waste their time on a $2 or $3 adjustment."

The report contended that mechanics were content to use a "cover-all diagnosis" of a tune-up even though, "in all but a couple of stops, the car's engine was running so badly that an experienced man could not have failed to suspect improper ignition timing, which could have been corrected by a simple adjustment."

The report recommended that "the City of New York promulgate fair-price guidelines for automotive repairs and that procedures be established that will lead to certification and licensing of automotive mechanics in the New York City area."

Approaches have already been made to state legislators and the offices of the Mayor and the Governor to discuss the possibility of legislation requiring the licensing of mechanics.

Commenting at the press conference, Mr. Haddad said:

"I think it [the mechanic's alleged incompetence] has become a form of acceptable corruption. The public has been made to feel that it is normal to do business in this manner.

"However, I'm sure something is going to be done about it this time."

TEXT OF WCBS (NEW YORK) EDITORIAL

Subject: Auto repair abuses.

Broadcast: September 29, 1967, 12:20 p.m., 4:20 p.m.; September 30, 1967, 8:20 a.m.

A committee of public spirited New Yorkers has made a valuable contribution to automobile safety and consumer protection. By conducting a survey of Manhattan garages, the group has exposed the auto repair business for the indifferent, incompetent racket it too often is.

The committee's findings, of course, are nothing new. They'll have the ring of unhappy truth to any car owner who's ever nursed a leaking head gasket or clogged fuel line. Most owners would be hard put to tell the differences between these maladies, and repair shops, through incompetence or fraud, are often quick to capitalize on the public's ignorance.

In its survey, the Citizens Committee for Metropolitan Affairs used a recent-model car with a common but minor engine defect. The committee's survey team drove the car to nineteen garages for diagnosis and repair. The committee found that cost estimates varied from "no charge" all the way up to $40. Of the nineteen garages surveyed, only five accurately spotted the defect using the proper techniques. Three others found the trouble after trial and error. Eleven of the nineteen—that's 58 per cent of the sample—incorrectly identified the problem.

The committee summed up the service it received as "careless," coupled with "intent to defraud." Widespread incompetence "has become a form of acceptable corruption," said one official, "and the public has been made to feel it's normal to do business in this manner."

Now regardless of what the public feels—negligence, poor training and outright larceny are scarcely ingredients of normal business practice. Next to a home, a car is the most costly piece of property you're likely to buy. And there's no reason why the motorist should not expect and receive the same standard of competence from mechanics that he does from a dentist or piano tuner. Maybe the answer is that pride in the craft is gone. If that's the case, it's time for government to step in. You can't legislate pride. But you can mandate state licensing for mechanics and the repair shops they work in. Loss of license means loss of work. And this is probably the quickest way we know to clean up those abuses of trust and confidence that too often characterize what should be a skilled, fairly-priced service.

MILITARY RULE IN GREECE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. FRASER. Mr. Speaker, one of the most perceptive and best informed writers on the military regime in Greece is Maurice Goldbloom. Mr. Goldbloom, a freelance writer, was labor information officer for the U.S. economic mission to Greece in 1950–51. He has since returned to the country many times and has numerous sources of information that give authority to his articles on recent Greek developments. Following is an article that appeared in the September 24 New York Times magazine:

AFTER THE ARRESTS: HOW THE MILITARY RULES 8 MILLION GREEKS

The military junta which seized power in Greece last April 21 is still nervous, but with each passing day it is less and less vulnerable. By now, neither a decision by King Constantine to break with it, nor a decision by the United States to cut off military aid would automatically topple it, though either would undoubtedly weaken it.

The attitude of most Greeks toward the King's role is summed up in a mot that has been going the rounds in Athens: "In the process of seduction, there is a point at which

a girl must decide whether she is going to remain a virgin. The King has passed that point with the junta." In his recent appearances in the United States—in Washington with the President, in Newport for the America's Cup races—Constantine has apparently been acting as the regime's envoy. For its part, the United States, through its initial acquiescence, has given the junta the time it needed to dig in.

In other words, the junta, though not noticeably more popular, does seem to be more solidly entrenched. The coup was staged by no more than 200 to 400 officers—out of some 10,000 in the Greek Army. The ability of such a small group to seize power without significant opposition was largely the result of mistaken identity. Greeks had long been expecting—and right-wing Greeks had been hoping for—a coup by a large, nominally secret, but in fact well-known, organization dominated by senior officers known as IDEA. But over the years a small, rival organization of junior officers, called EENA, had been growing up almost unnoticed. At the time of the coup its leadership included only one general—Stylianos Patakos, now Minister of the Interior—and he had been made a brigadier only three months before. The group's most important leader was Col. George Papadopoulos—who happened also to be the man assigned by IDEA to transmit the orders for its coup to its followers throughout the army.

It was EENA that struck, but when Papadopoulos gave the signal its recipients thought they were obeying IDEA. Because there was no organized democratic group in the army, there was no military resistance. Because civilian political groups—including the weak and demoralized Communists—were prepared only for lectoral activity, there was no popular resistance.

Once in. the junta lost no time in broadening its base of military support. Increasing the officer corps by approximately 10 per cent has enabled it to win the support of perhaps twice that many officers through promotions and new appointments. Key officers on whose loyalty it could not count were forced to retire. In the army, this purge for the most part took place immediately after the coup; in the navy, where the coup had received almost no support, the junta moved more slowly. Still, by mid-August more than 60 naval officers, mostly of high rank, were said to have been removed, and 11 to have been arrested.

Arrests, indeed, have been the junta's most conspicuous activity. The cases of former Premier George Papandreou of the Center Union, his son, Andreas Papandreou, and Mikis Theodorakis, composer of the score for "Zorba the Greek," have attracted worldwide attention, but there are thousands more, and the arrests show no signs of abating.

The original wave of arrests was based largely on an army list of suspects prepared nearly 20 years ago; the conspirators had been afraid to ask for more recent lists for fear of tipping their hand. Thus, many of those arrested in the first sweep were people who, whatever they might have been in the turbulent nineteen-forties, had long since ceased to be politically active.

Later arrests—which by now certainly outnumber those of the first wave—have been more selective. They affect all sections of the political spectrum, including parliamentary deputies, former Government ministers and several of the country's leading journalists. They also include a man who criticized the King in a telephone conversation with his sister, a bus driver who objected to letting a soldier ride free and numerous persons accused of such offenses as having five or more guests in their home or possessing a mimeograph and not registering it with the police.

Of those arrested at the time of the coup, more than 6,000 were sent to a hastily opened concentration camp on the island of Yiaros. (Some 1,500, most of whom had been arrested because of their official positions rather than for their politics, were soon released, though many remained under house arrest.) The Government has now announced the opening of a second major concentration camp on the island of Leros, to which prisoners are being transferred from Yiaros. This should be an improvement.

Yiaros is a completely waterless and barren island, swept by high winds. Before the coup it had an old and unused prison, with cells for a few hundred persons. When the detainees were dumped on the island, the prison was used to house some of the women. The other prisoners were housed in tents, 25 to a tent, grouped in three camps.

Some weeks later, at a time when the Government claimed to have released about a third of the prisoners originally there, it announced plans to construct reservoirs on the island which would make it possible for each prisoner to receive 15 liters (a little less than 4 gallons) of water a day. Clearly, the water supply during the first several weeks must have been barely enough for drinking, let alone sanitation.

Later, other ameliorations were promised. These included an improvement in the diet, which was said to have consisted mainly of beans, and the opening of a canteen at which prisoners could purchase additional food and other small necessities. Some of these improvements may have taken place. It at least appears reasonably certain that the canteen was opened—since underground channels reported a few weeks later that it had been closed again.

There are inevitable gaps and time lags in information on conditions in the various places of detention, since Yiaros and most of the others have been barred to journalists and foreigners. A representative of the International Red Cross has, to be sure, been permitted to visit them. But in accordance with the normal practice of that organization, his report was submitted only to the Greek Government, which never made it public.

The Government did, however, release a letter in which the Red Cross representatives asked on humanitarian grounds that the 250 women confined in the old prison on Yiaros be transferred elsewhere, to accommodations more appropriate to their sex. (The circumstances of this release were such that one is impelled to wonder if the Government really desired to give it wide publicity. In the Greek Government press office, official releases are normally laid out on tables, arranged in the order of the numbers which they bear. They are available in Greek, English and French. This release had no number, it was not with the others, and it was available only in Greek.) I have seen no report indicating that such a transfer has in fact taken place, although the women may be among those now being moved to Leros.

If conditions on Yiaros have improved in some elementary physical respects, it appears that they have recently become worse in other ways. Some 250 of the "most dangerous" prisoners are said to have been segregated from the others, and to be confined to their quarters 20 hours a day. During the four hours in which they are allowed out, the other prisoners are confined, in order to prevent any contact between the two groups. And the three camps on the island are kept isolated from one another.

These changes probably result from the regime's disappointment at the failure of the prisoners to break down under its pressure. A condition for release is that the detainee sign a pledge to refrain from "antinational and anti-Governmental activity." Few politically significant prisoners have been willing to sign, regarding it as dishonorable.

Interior Minister Patakos complained to me: "Some of them are getting more hardened instead of reforming. They have organized by tents; a leader for each tent, and a group leader for each 8 or 10 tents. They have a president for each of the camps, and a general commander for the whole island. They have collected 250,000 drachmas [a little more than $8,000] among themselves, for what purpose I do not know, but I am sure it is not a good one."

As one of the "Communist" leaders of the hardened prisoners, Patakos mentioned Dimitrios Stratis. When I remarked that the 78-year-old Stratis, a veteran trade-union leader and left-wing parliamentary deputy whom I know well, was not a Communist, Patakos replied: "He calls himself a Socialist, but he is a Communist. In Greece, we have right people and wrong people. All those who are against the country are Communists. Stratis is a Communist in his heart and his works. They are all liars."

Yiaros and the courts-martial which hand out sentences of five years for writing slogans on walls and eight years for *lèse-majesté* are not the Government's only instruments of intimidation. Some Greeks beyond the borders have had their citizenship revoked—most notably, the actress Melina Mercouri, who seems to have come out ahead on the exchange.

Many persons regarded as potential troublemakers have been taken to police stations and badly beaten, as a warning, without being formally arrested; this treatment has been most often used on students and other young people. The security police have visited private employers with lists of "unreliable" individuals who are to be discharged. Many people have had their telephones removed because of their political views; all have been discouraged from talking politics on the phone or writing about it to friends by the knowledge that phones are likely to be tapped and letters opened.

But the junta has not relied on terror alone to consolidate its position. Rather, it has systematically endeavored to entrench itself in every aspect of Greek life. On the national level, despite the existence of a nominally civilian Government, an army officer plays a key role in every ministry—in some cases as minister, in others as secretary general, in still others as a political commissar without official title.

The tenure of civil servants has been abolished; many have been removed for their ideas, and all have been ordered to pledge their loyalty to the regime on pain of dismissal. The purge has not been confined to such politically sensitive departments as the police, where 118 high-ranking officials and police doctors were dismissed in mid-August. (Others had been ousted previously, individually or in smaller batches.) It has even affected the director of the Byzantine Museum, an internationally known scholar.

Locally, the regime has destroyed the system of nonpolitical nomarchs or district administrators, whose establishment American advisers once regarded as one of their major achievements. More than half the nomarchs have been removed; most of their replacements are army officers. While asserting its belief in the decentralization of authority, the Government has removed large numbers of elected mayors and local councils and replaced them with appointees chosen in Athens.

Nor has it confined itself to the governmental sphere. It has seized control of the Orthodox Church. It has dissolved hundreds of private organizations and removed the officers of numerous others, including bar associations, agricultural cooperatives and the Jewish community.

The United States Embassy in Athens clearly does not like the regime, though most Greeks regard it as responsible for the coup—an opinion the junta assiduously encourages. (A skeptical friend remarked to me, after seeing one of the coup leaders in action,

"Now I believe what you say about the Americans not being behind the coup; they'd never have chosen *these* people!") But the Embassy also regards the present Government as a lesser evil than a revolt against it, and has therefore placed its hope in persuading the junta to practice self-denial and restore democracy voluntarily. Its influence is limited, since the junta now feels certain that the United States will continue military aid whatever happens. (Some weeks after the coup, the U.S. did cut off certain items, estimated by the Defense Department at 10 per cent of the total.)

Nevertheless, the Embassy and State Department see great cause for optimism in the appointment of a committee of jurists to draw up a revised Constitution by the end of the year for submission to a plebiscite. This is supposed to lead to a speedy and orderly restoration of constitutional government.

This assessment appears to contain a large measure of wishful thinking. The group named to draw up the new Constitution included a few persons of some distinction, several conservative nonentities and a few with rather unpleasant reputations. But the members were not consulted before their appointments were announced, and some of the best-known have refused to serve.

The Government's influence on the deliberations of the committee is not likely to be cast on the side of democratic institutions While Premier Constantine V. Kollias has said the new Constitution will be only slightly changed from the present one, journalists close to the junta have called for much more drastic alterations. Among the suggestions offered are a ban on political activity by anyone who has ever cooperated with the extreme left, a requirement that all candidates have loyalty certificates from the security police, and the exclusion from office of anyone who has ever held foreign citizenship.

The first of these provisions would not only bar all those in the United Democratic Left (EDA), a party which contains some hard-core Communists but also a wide range of non-Communists. It would also ban most members of Papandreou's Center Union and a number of people now on the right—including some ex-Communists who hold office under the junta or are among its advisers. (For example, Theophylaktos Papaconstantinou, whom the Government has placed in charge of the press, is a former Communist theoretician. So is the editor of Eleftheros Kosmos, the newspaper widely regarded as closest to the junta.)

The significance of the second is shown by a story told by a friend who had served as an officer attached to the general staff. One of his duties was to investigate the qualifications of officer candidates. In the dossier of one he found a report from the Security Police: "A. is a dangerous subversive, being closely associated with the politician Constantine Rendis." At the time of the report, Rendis, who belonged to the right-center, was Minister of Public Order and the superior of the police official who wrote it.

The third proposal is aimed primarily at Andreas Papandreou, a former American citizen and the man on whom millions of Greeks rest their hopes for their country's future.

When I asked Patakos what constitutional changes the Government would propose to the committee, he mentioned none of these specific points, although he referred in a general ways to changes in the qualifications of deputies. In response to a question, he added that the Premier named by the King would still have to receive the support of a majority in Parliament. He added that these ideas were merely being considered very tentatively; the one point on which the Government was determined was that the new Constitution must cure all the faults of the existing system. Apprised of this statement, one diplomat remarked: "That's easy; all he has to do is change eight million Greeks."

Whatever kind of Constitution may emerge from the committee, the problem of implementation will still remain. The embassy appears to rely on the King and Patakos—the member of the junta who is regarded as most susceptible to the influence of the palace—to promote the restoration of a constitutional regime. Patakos, however, does not seem to have any such intention. He told me: "We are not interested in elections; if we were, we wouldn't have made a revolution. This system we have now is the best system, because what we have now we have achieved with the people's support, so there is no need for elections. We have more serious problems than elections. What we have done we did in order to achieve certain aims, and when we have achieved these aims, then we will have time for elections. . . . We are frank people. We are not liars and we do not want to make false elections, the way they do in Russia with 98 per cent; therefore there will be no elections."

But even if Patakos could be introduced to support a prompt return to constitutionality, it is unlikely that he could accomplish it. Unlike Colonel Papadopoulos, who organized the coup, Patakos appears to have little talent for conspiracy or political infighting. He seems a basically decent if insensitive man, whose political naiveté is almost incredible. (He is responsible for most of the pronouncements which have brought ridicule on the junta—the bans on miniskirts, beards, long hair, etc.) A soldier of peasant origin (a brother is said to be still working on the roads in Crete), he rose slowly through the ranks for 37 years, becoming a brigadier general and commander of the tank school three months before the coup. Only then does he seems to have been brought into the conspiracy—because the tanks he controlled were necessary to its success. One suspects that he joined partly because of resentment at the establishment—civil and military—on which he blamed his slow promotion (he talks with obvious bitterness of the 10 years he lingered as a lieutenant colonel), and partly because he really believes the moralistic slogans to which others in the Government pay lip service.

In any showdown between Patakos and Papadopoulos, the latter seems far more likely to be the victor. Indeed, the other members of the junta may in any case drop Patakos when they feel strong enough to do so. He might even end up on Yiaros. If he should, I would not expect him to sign a declaration in order to obtain his release.

But if the junta does not seem likely to give up power voluntarily, there are factors which may eventually lead to its downfall. One is the difficulty of getting competent personnel to work for it. The population of Greece is about the same as that of New York City, and the proportion of trained personnel is much lower. If one eliminates a majority of the population—and a much larger majority of the well educated—on political grounds, it becomes difficult to find competent people for important positions. Moreover, many whom the junta might be willing to appoint do not want to serve under present conditions; in one instance, it has had to draft a retired official into the army in order to make him assume a top post in a ministry.

This difficulty may explain some of the peculiar appointments the Government has made. One, particularly strange for a regime which talks in terms of moral regeneration, is that of Constantine Thanos as Secretary General of the Ministry of Coordination and Alternate Governor of the World Bank, two of the most important economic posts it had to fill. Mr. Thanos was, a few years back, rejected for a teaching post at the University of Athens because it was discovered that the thesis he submitted in support of his application was a verbatim plagiarism from a memorandum by Prof. Benjamin Beckhart of Columbia. The incident is not the only one of its type in Mr. Thanos's career.

But the Government may well feel that it cannot look too closely into the moral credentials of anyone who can help it solve its economic problems, for these are very great, and almost certain to increase. At the beginning of June, Greece had short-term debts of about $20-million more than its official gold and foreign-exchange reserves. (Some $100-million in gold sovereigns, the purchase and sale of which were used to stabilize the currency internally, did not appear in the official reserves. The exact amount in this fund was secret.) And Greece's three principal sources of foreign exchange—emigrant remittances (about one Greek worker in five is employed abroad), tourism and shipping—all seem likely to drop sharply this year, as does foreign investment.

In addition, it is almost certain that a loan of about $100-million which had been promised by the European Economic Community will now be postponed, if not canceled. Nor have the financial prospects been improved by the resignation of the internationally known economists Xenophon Zolotas and Michael Pesmazoglou as Governor and First Deputy Governor of the Bank of Greece.

No wonder that a former minister says of Col. Nicholas Makarezos, who as Minister of Coordination is in charge of economic policy: "He's the only one of them who thinks seriously about problems; that's why he always looks worried." The colonel's worries seem likely to come to a head within the next six months. By that time, the Government is widely expected to run out of cash. (It is already asking for U.S. economic aid.) It may be able to renew credits as they come due, simply because creditors will prefer to keep their loans on the books instead of pushing them into default. But without new credits, which seem unlikely, there will have to be drastic import restrictions and currency controls; there may be a devaluation of the drachma and a sharp reduction in the standard of living.

The political repercussions of such a development are unpredictable. It may be that the opposition will still be too disorganized to take advantage of the situation, and that the Government will be able to ride out the crisis. But it is also possible that students—who are difficult to control because their leadership is always being renewed—and workers returning from northern Europe, where many of them have already organized against the junta, will by then form the basis of an effective resistance movement. And if the regime is not able to keep up the standard of living of the armed forces—particularly the officer corps—trouble could come from that quarter.

Such a situation could conceivably result in a countercoup. Or the junta might turn to a foreign adventure, particularly in Cyprus. This past summer, there were sounds from Athens of a new drive for *enosis*, the union of Cyprus with Greece. (They produced no sympathetic echoes among Greek Cypriotes.)

Or the regime might seek to rally popular support by swinging in a Peronist or National Bolshevist direction. There are already some signs that it is considering this option. One is a decree prohibiting any Greek, including employes of foreign companies and international organizations in Greece, from getting more in salaries, allowance and pensions than the Premier receives—about $18,000 a year. The junta issued a decree raising the salaries of Cabinet ministers substantially, but forbade the press to mention it. Some days later another decree was issued reducing the salaries—but to a point well above their previous levels. The reduction was then publicized, without mentioning the previous raise.) It has also raised pensions

for peasants by about two-thirds. And Agriculture Minister Alexander Matthaiou's first radio address was not only filled with leftist phrases, but was couched in a form of the *Demotiki* (the popular language, traditionally championed by the left as against the *Katherevousa* or "pure" language backed by the right) so extreme that it is regarded as the trademark of the Communist party and shunned by everybody else. A move in this direction might also take on an antimonarchical aspect; not all the members of the junta regard the King as indispensable.

It might seem strange for a rightist government to move in this direction. But the junta does not represent the traditional Greek right, rooted largely in property and birth. Its leaders are men of lower and middle-class background. They may hate the left, but they have no love for the conservative establishment.

AIR QUALITY ACT OF 1967

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HANLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HANLEY. Mr. Speaker, I want to take this opportunity to urge the Members of the House to give their full support to the proposed Air Quality Act of 1967. Approval of this legislation would be of benefit to virtually every American and would help to safeguard the health and welfare of generations to come.

Three times since 1963, the Congress has taken steps to accelerate the Nation's movement toward cleaner air. Under the legislation enacted by the Congress, the Department of Health, Education, and Welfare has helped in the creation and strengthening of State and local air pollution programs, instituted Federal action to abate interstate pollution in nine areas of the United States, established national standards for control of motor vehicle pollution, and intensified research on ways of controlling the major air pollutants.

Yet, each day the air pollution problem is worsening. With a renewed sense of urgency, the States, the cities, and the Federal Government must commit themselves more fully and effectively to America's struggle against poisoned air. Federal action alone cannot overcome the problem. The measures proposed in the new legislation before us will directly help State and local governments in their efforts to prevent and control air pollution arising within their jurisdictions.

I am convinced that by putting the stamp of approval on the legislation before us, we are forging another link in the chain of Federal-State partnership that is so vital to the restoration of the quality of our atmosphere.

AIR QUALITY ACT OF 1967

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DANIELS. Mr. Speaker, I would like to take this opportunity to make a few comments about the problem of air pollution which has become, unfortunately, a major environmental concern in many parts of our country. This House will soon consider the Air Quality Act of 1967, which has been recently reported by the Committee on Interstate and Foreign Commerce, and this fact prompts my present remarks.

In recommending last January that the Congress adopt the Air Quality Act, President Johnson expressed the Nation's resolve to eliminate air pollution. This feeling by our citizens is not just a fad; it is based on an increasing comprehension of the enormous price we have been paying—and continue to pay this very day—for neglecting our air supplies. There was a time when a plume of smoke from a factory stack was emblematic of progress and productivity, but our society has reached the stage when we are able to have the benefits of industrialization without attendant detriments. Air pollution is a health hazard, air pollution damages property, air pollution decreases visibility, and air pollution depresses the human spirit. The Air Quality Act is a step toward mitigating these undesirable byproducts of our affluent society.

While the new legislation has several meritorious features, I should like to discuss one major provision today. I am referring to the bill's provisions for the establishment by the States of air quality standards and implementation and enforcement plans, with the assistance and guidance of the Department of Health, Education, and Welfare. After the Secretary has designated air quality control regions and has published criteria and control technology information for a given pollutant, the States will be obliged to establish standards and implementing plans for the regions. Presently, the States are not under such an obligation, and while some of them have done admirable work in this regard others have been unwilling or unable to confront the problem.

Mr. Speaker, I urge every Member of this House to give thoughtful consideration to this legislation when it is presented to us for our approval, and I hope that they will join me in voting for its enactment.

IN DEFENSE OF CONGRESSIONAL INTERNSHIPS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, recently a Sunday supplement of the Washington Post, the Potomac magazine, carried an article relating the reactions of a number of young people to their experiences while serving as congressional interns on Capitol Hill.

The tenor of many of the reactions was of disillusionment, disappointment, and disgust that they were given seemingly petty assignments during their brief employment in congressional offices.

During the spring semester, a student at American University's Wesley Seminary here in Washington volunteered his services in my office. His objective was to gain experience both in the functions of our National Government and in service to the public. He felt experience of this kind would be of substantial help to him in his future work as a clergyman.

Ths young man, now the Reverend David G. Henritzy, pastor of Pomeroy Methodist Church, in Pomeroy, Pa., read the Potomac magazine article and then sent his reactions to the editor.

I am pleased to be able to bring his letter to the attention of my colleagues as concrete evidence of how valuable our internship program can be, if the individuals selected have the personal initiative to gain from their experiences:

POMEROY METHODIST CHURCH,
Pomeroy, Pa., October 16, 1967.

The EDITOR, POTOMAC MAGAZINE,
The Washington Post,
Washington, D.C.

DEAR SIR: I was interested to read your recent article, in the October 1, 1967 issue of *Potomac* concerning congressional interns. I also have served as a congressional intern and would like to write in defense of the program.

Many of the complaints of the interns you interviewed seem to have arisen from the fact that the interns did not find the intern program to be what they expected. I served my internship with Rep. Fred B. Rooney (D-Pa.) and began it with the assumption that I was going to learn as much as possible about the workings of Congress and a congressional office. I too, spent a large part of my time working a roba-type machine, or addressing letters, or even clipping newspaper articles. However, I felt that this was not only a way of learning what really goes on in a congressional office, but also as a very real means of assisting an already heavily-loaded staff and thus freeing the professionally trained staff members to do the really important jobs.

Because my attitude may have been somewhat more responsible than that of some of the interns you interviewed, I was eventually given more of the responsibility which all the interns craved. I did not expect, nor did I, make policy decisions, but I was given such responsibilities as speech writing, preparing briefs for the congressman on important topics, and handling many private cases completely on my own.

I left my internship with a much heightened respect for the duties and responsibilities of a congressman, plus a good understanding of how our political system works on a day-to-day basis. I felt that this was what I went there to learn and could not have been more pleased with my experience. Working in congress is an extremely responsible position which requires a high degree of professional training. Perhaps if the other interns realized this they would not only find their internships to be of more value, but would also be a greater service to their country.

Sincerely,

DAVID G. HENRITZY.

AIR POLLUTION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentle-

man from Pennsylvania [Mr. VIGORITO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. VIGORITO. Mr. Speaker, in a message to the Congress last January 30, President Johnson warned us that unless vigorous action is taken, and taken quickly, our cities will become totally engulfed in a pall of polluted air. The President said:

> The pollution problem is getting worse. We are not even controlling today's level of pollution. Ten years from now, when industrial production and waste disposal have increased and the number of automobiles on our streets and highways exceeds 110 million, we shall have lost the battle for clean air—unless we strengthen our regulatory and research efforts now.

The President went on to recommend adoption of the Air Quality Act of 1967.

Mr. Speaker, the record clearly shows that the administration has led the way in supporting and strengthening the national air pollution control effort. The proposed Air Quality Act of 1967 is a logical and timely response to the experience we have gained under the Clean Air Act, which the President signed into law in 1963. To my way of thinking, the proposed legislation is perhaps the most important measure to come before the Congress this session. There is mounting evidence that air pollution presents a potentially serious health hazard especially to people who work or live in or near our urban and metropolitan centers. There is an urgent need to continue and expand our efforts to halt the deterioration of our atmosphere. Almost daily the problem grows more acute.

I agree completely with the President's assessment of the problem, and I urge that the bill reported by the Interstate and Foreign Commerce Committee be passed by the House.

AIR QUALITY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WOLFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WOLFF. Mr. Speaker, I am sure that all of us realize that one of the most precious substances on this planet is the air we breathe. But I wonder how often it crosses our minds that for the first time in the history of mankind we have begun to slowly but relentlessly change the composition of the air. The air is no longer the pure mixture of natural gases that our high school science texts described; it is these gases plus tiny but significant amounts of contaminants that not only do not support life they threaten life.

These contaminants are byproducts of America's industrial progress. But they are not necessary byproducts. As President Johnson said in his message to the Congress on air pollution last January:

> This situation does not exist because it was inevitable, nor because it cannot be controlled. Air pollution is the inevitable consequence of neglect. It can be controlled when that neglect is no longer tolerated.
>
> It will be controlled when the people of America, through their elected representatives, demand the right to air that they and their children can breathe without fear.

Mr. Speaker, soon we will have before us the Air Quality Act of 1967 originally proposed by the President last January. This act recognizes that air pollution is truly a national problem and calls for a national approach. Its provisions will strengthen and accelerate the efforts begun with the Clean Air Act of 1963.

The bill has had the support of many distinguished witnesses. The Surgeon General of the Public Health Service, William H. Stewart, in endorsing this bill, made clear that the problem of air pollution is a health challenge of the first magnitude confronting the American people today. He added that "We can, and we must, proceed now."

I believe that we in Congress have a responsibility to see that our dedication to the protection of every American's right to live, work, and enjoy the fruits of prosperity includes the right to breathe clean healthful air. The bill which will soon be before us is an affirmation of that right. And the time to act is now. This is not a problem to be put off for tomorrow.

PARTNERS OF THE ALLIANCE RADIO NETWORK

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. KORNEGAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, last August 17, on the occasion of the sixth anniversary of the Alliance for Progress, the Partners of the Alliance sponsored an amateur radio operators program originating in Lima, Peru. Two-way radio contact was made not only with most of the hemisphere, but a total of 38 countries throughout the world responded to the special Partners of the Alliance signal of station OA4SIX. The anniversary broadcast also coincided with the meeting in Lima of the Inter-American Coordinating Committee of the Partners of the Alliance.

The worldwide attention this program created is indeed significant. The Partners of the Alliance program is the partnership effort of the citizens of the Americas to raise the social and economic standards of all peoples and assist in reaching the objectives of the Alliance for Progress. It helps to involve people of the hemisphere in the development process. Today, 32 U.S. States and the District of Columbia are in partnership activities with a similar number of areas in 15 Latin American countries. The State of North Carolina is paired with Cochabamba in central Bolivia and the citizens of both areas are taking an active role in educational, medical, and agricultural projects.

The idea of the Partners network was sparked by a constituent in my district, Mr. David A. Rawley, Jr., of High Point. An article on his role in the project appeared in the recent newsletter published by the National Association of the Partners of the Alliance in Washington, D.C. I place the article in the RECORD for the interest of Members of the House:

WORLD RESPONDS TO HAM RADIO

An international network of amateur radio operators marked the sixth anniversary of the Alliance for Progress last August 17 and was first to tell the world that the Third Inter-American Conference of the Partners of the Alliance will be in Lima, Peru, March 31 through April 3.

A permanent Partners radio network to broadcast every Saturday from 7 to 9 a.m. is in the planning stage and may become a reality within weeks.

During the five days of the anniversary week that the network operated, 500 two-way radio contacts were made with 35 U.S. states and 38 foreign countries, including England, France, Belgium, Australia, Israel, Cuba and Russia.

The network's activities overshadowed the official business of the Inter-American Coordinating Committee of the Partners of the Alliance, meeting in Lima to make arrangements for and set the date of the annual Partners' conference in Lima next Spring. A total of 300 delegates from North and South America are expected to attend.

BORN LIKE HURRICANE

The unique network a "first" in Partner's history, was born as suddenly as a hurricane. At last year's Rio Conference of the Partners, the Committee on Human Relations emphasized the essentially private nature of the Partners program, based on participation of individual citizens, groups and organizations in the Partner countries.

The idea of a network occurred to David Rawley, Jr., of High Point, North Carolina, and the Partners adopted it.

The Government of Peru granted special call letters—OA4SIX—and that became the official Partners Station in Peru with a radio ham contact set up with Peru's Texas Partner. All other Partners were alerted to tune in on 14.340 kilocycles. They did, with enthusiasm.

In radio ham jargon, the "OA" of the call letters was instantly recognized as Peru, the "4" as Lima. The "SIX" was a nod to the Sixth Anniversary of the Alliance for Progress.

FROM SHACK TO WORLD

Rawley said credit for the permission to operate and the special call letters goes to Peruvian Partners Ricardo Palma and Eduardo Dibos. The official station operated from the ham radio "shack" in Palma's home in the Miraflores section of Lima. Rawley supplemented Palma's equipment with a transmitter, receiver and amplifier he brought from High Point, representing an extra air freight charge for 70 pounds he cheerfully paid.

Edward Marcus, vice president of Neiman-Marcus in Dallas and president of the National Association of the Partners of the Alliance, sent the first official words flashing world-wide from Palma's antenna in Lima.

Joining him from Lima were James H. Boren, director of AID Partners' programs; Warren Huff, executive director of the N.A.P.A.; Dr. Nelson M. Robinson, University of Tennessee Department of Political Science, and Dr. Will Pirkey, Denver physician,

chairman of the Colorado Partners, and, with Dr. Walfrido Prado Guimaraes, Sao Paulo, Brazil, co-chairman of the forthcoming annual Partners Conference.

Also heard from Lima were Dr. Roberto Rendon, Guatemala; Marco Algara, El Salvador; Eduardo Dibos, Peru; and Doctors Edgard Barbosa Ribas and Jayme Messeder, both of Brazil.

GOVERNOR'S GREETINGS

The Governors of Maryland and Rio exchanged greetings. David Leon in Kentucky and Ricardo Leon in Ecuador said "Hello." Banks Miller in Austin traded information with fellow Texans Marcus and Boren in Lima.

Rawley, possessor of a radio ham license since age 12, said more than 200 "QSL" cards were received in the first week after the broadcasts, asking for information about the Partners.

(Radio hams send each other "QSL" postcards as proof of their contacts and to comment on how the signal came in. For the Lima broadcasts, a special blue-and-white "QSL" postcard is being mailed to all radio contacts to forever adorn the walls of the recipient radio ham's shack. It carries the Lima call letters, the Alliance for Progress seal and information on the Partners.)

Rawley said questions from all corners of the globe expressed great curiosity about the Alliance and the Partners and then enthusiasm for the whole concept.

Besides the 35 U.S. states, Rawley said Peruvian Partners Station OA4SIX made two-way contacts with radio hams in:

Argentina, Bolivia, Brazil, Chile, Colombia, Cuba, Ecuador, Honduras, Panama, Paraguay, Puerto Rico, Surinam, Uruguay.

Also, Canada, Australia, Austria, Belgium, Czechoslovakia, Denmark, Finland, France, Germany, Ireland, Israel, Italy, Luxembourg, Netherlands, Norway, Sweden, Switzerland, Russia.

Also, Chad, Kenya, the Channel Islands, Ellsmere Island and Sardinia.

DRUG RECALL PROCEDURES

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. EILBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. EILBERG. Mr. Speaker, on Monday of this week I sought to bring to the attention of the House the event of what I then called a narrowly averted disaster. You will remember it involved a recall of the drug "Coumadin."

I mentioned at that time that in addition to asking that the Interstate and Foreign Commerce Committee be charged with the task of investigating drug recall procedures and making recommendations that would avert similar near catastrophes in the future, I was writing to Dr. James L. Goddard, Commissioner of the Food and Drug Administration. In my leter to him I asked both for a report on what had happened and for strengthened procedures within FDA itself.

I am pleased at this time to offer for the RECORD the text of Dr. Goddard's reply to me. I also offer at this time a letter I subsequently received from the executive secretary of the Philadelphia Association of Retail Druggists. Included in the contents of this communication from Morris E. Blatman is a proposal which I would like to call to the further attention, and to the attention of the Committee on Interstate and Foreign Commerce.

That proposal would establish a code to be used in drug recalls. That is, in each applicable case the necessity for a recall would be identified by a letter or some other designation by which physicians and pharmacists would immediately know that:

First. This code would signify a vital emergency. It would mandate notification to distribution centers and news media within 24 hours and would be detailed.

Second. This designation might be used to notify distributors of drugs, including physicians and pharmacists that further distribtution of items so marked is prohibited.

Third. This designation would signify merely that routine replacement of the quantity of drugs in question was being made in cases where labeling, advertising, therapeutic claims or package inserts may be misleading. I would suggest a reasonable amount of time be permitted for changes under this designation.

I am indebted, and I think the health science professions and all the people of the greater Philadelphia area should be indebted, both to Morris E. Blatman, executive secretary of the Philadelphia Association of Retail Druggists, and to Joseph Cantor, chairman of that association's professional relations committee. They did yeoman work last week in helping to avert a possible disaster. I am sure that similarly dedicated men also acted in a similar manner in drug distribution centers troughout the Nation.

The material referred to follows:

PHILADELPHIA ASSOCIATION OF RETAIL DRUGGISTS,
Philadelphia, Pa., October 16, 1967.

Hon. JOSHUA EILBERG,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN EILBERG: I am aware of your interest in the problems of Pharmacy and the public health and I am presuming upon our personal relationship to make a few observations in regard to a recent event in which you were interested enough to make your views known.

I refer to the recall of a drug "Coumadin" which took place over the last week-end. There are now sufficient facts available to make this a most important subject for study because it points up the glaring errors that are possible in a bureaucratic system of government when there are no checks and balances.

The drug Coumadin is a trade-marked brand of sodium warfarin. The patent for the drug is held by the University of Wisconsin Alumni Research Foundation. Three companies are licensed to manufacture it and distribute it in the United States: Abbott Laboratories (Chicago), Endo Laboratories (New York) and Purdue-Frederick (New York).

Present information now exists that in early August the New York office of FDA and Endo officials discussed various small discrepancies in assaying various batches of Coumadin. Assays are done by comparing the product with standard reference material furnished by the United States Pharmacopoeia. Methods of testing were questioned and discussed.

I have no intention of discussing this very highly technical phase of the problem. Suffice it to say that there is recognized differentiation in methodology and in interpretation.

On or about October 12, 1967, Endo Laboratories agreed to recall seventeen batches of the drug manufactured during the last three years. One batch was limited to distribution to military installations and does not concern the public for the moment.

This drug recall could have been accomplished quickly and safely without arousing the emotions of several million cardiac patients. When one translates the fact that each concerned cardiac involved someone in his family, his physician and his pharmacist, then we end up with many thousands of additional people aroused by newspaper, radio, TV and word of mouth reports about a "dangerous drug recalled that could kill everyone who takes it".

You and I and Dr. Goddard may know this to be untrue but we would have one difficult job to convince that cardiac patient that it isn't true. It will take months of patient and calm reasoning to convince these people that Coumadin was safe to take and continues to be safe.

But more importantly for you and I, is the realization that the handling of drug recalls should receive a prompt and intense study as to how it should best be accomplished without endangering the health of the public. Obviously, there are times when recalls should be made promptly and without any delay. But certainly there are other considerations.

To point up the stupidity of the entire incident few people are aware that the other two companies involved (Abbott and Purdu-Frederick) also issued drug recalls but it made no newsworthy impression.

But even more disturbing to me is the fact that just a day or so before the Coumadin incident there was a quiet drug recall for a cough syrup because some batches contained broken glass, (Copy enclosed). How does one correlate these two incidents as to whether or not they were properly handled.

It seems to me that the Coumadin incident could have been done very quietly and discreetly but someone pushed a panic button that resulted in a great deal of unnecessary publicity; a lot of unnecessary anguish and a lot of explaining, counter-explaining and lots of elevated blood pressure.

The pharmaceutical industry and the government have talked about drug recalls for several years but because it is a touchy problem with many facets as to the responsibilities of each professional discipline that is involved, very little of a definite nature has been established. So while there is a list of recalls printed each week by FDA there is little beyond that. Sometimes we see letters from the big manufacturers concerning items that are being recalled; rarely do we see recall letters from small companies or distributors even in our own Delaware Valley area.

Some manufacturers prefer to handle the letters and recalls themselves issuing credits, cash or other merchandise. Other manufacturers prefer to have the retailer send the merchandise back to the wholesaler. The wholesaler claims that this is a costly operation and has suggested that they be paid by the manufacturer. This sets up a long drawn out chain of events and payments. But this, too, is not an immediate problem.

I have given some thought to the question of drug recalls and at the present time, I can only suggest that each notice of a drug recall by the government and the manufacturer should be rated as follows:

A—Vital emergency. All news media and distribution centers must be notified within 24 hours with all pertinent details including lot numbers to be withheld from further distribution.

B—All avenues of distribution must be

notified by letter from the manufacturer or distributor that further distribution of the affected items is prohibited.

C—Routine replacement. This category of recall should be received for those items where the labeling, advertising, therapeutic claims or package inserts must have printing changes. A reasonable amount of time should be permitted for this change to take place.

While I grant that these categories may not be sharply defined as outlined above, perhaps they should be explored for possible changes in contrast with the present system or lack of system.

I hope that this long letter will give you some idea of the problems that may become involved in a drug recall.

We in Pharmacy will be most appreciative of your continued interest and help.

With kindest personal regards.

Sincerely yours,

MORRIS E. BLATMAN,
Executive Secretary.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, FOOD AND DRUG ADMINISTRATION,
Washington, D.C., October 19, 1967.

HON. JOSHUA EILBERG,
House of Representatives,
Washington, D.C.

DEAR MR. EILBERG: Dr. Goddard has asked me to reply to your inquiry of October 16 concerning the procedure followed in reporting the Coumadin recall.

If the established procedure had been followed, there would have been no release to the lay press or the public concerning the recall. However, as a result of a deviation from the procedure in our New York District Office, the lay press and the public were inadvertently advised of this recall.

The press conference called by Dr. Goddard was for the purpose of advising the public to continue with their medication and not to be alarmed. A copy of Dr. Goddard's statement is enclosed.

Our Assistant Commissioner for Education and Information visited the New York District Office the morning of Friday, October 13 to determine why this information was released by that Office in contravention of existing established procedures. He learned that the release was the result of a staff member's misunderstanding of the District Director's instructions. Corrective action was begun at 7:30 a.m. on Friday.

We agree with the views of Pharmacist Cantor. FDA does not recall prescription drugs by use of the lay press unless the product is so dangerous that death would result if it were taken. Our procedure does provide for the recall information being provided pharmacists and physicians by the manufacturer of the product involved. We provide a "Weekly Recall List" that is on a controlled distribution list to the medical and industrial press. (A copy is enclosed.)

As a former practicing pharmacist, I am in complete sympathy with Mr. Cantor. You can assure him that we have taken every possible step to prevent further errors of this type.

Best regards.

Sincerely yours,

PAUL A. PUMPIAN,
Director, Office of Legislative and Governmental Services.

THE AIR QUALITY ACT OF 1967

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, the Air Quality Act of 1967 represents an important step forward in the struggle against air pollution.

Surely at this time there is no need to convince anyone of the dangers of air pollution. To quote recent testimony presented to the Committee on Interstate and Foreign Commerce by Surgeon General William H. Stewart:

> Air pollution is a problem of many dimensions. It has an adverse effect on the national economy and on the individual economy of families in virtually every city and town. It impedes the growth of cities and the growth of cattle and crops. It impoverishes the quality of living of millions of our people.

Or, as President Johnson succinctly stated the problem in his message to Congress regarding air pollution in January of this year:

> Polluted air corrodes machinery. It defaces buildings. It may shorten the life of whatever it touches—and it touches everything.

As the air around us has grown more and more polluted, the Congress has sought new ways in which the Federal Government might oppose air pollution on a nationwide scale. Under the Clean Air Act of 1963 and its amendments of 1965 and 1966 we have accomplished much, but air pollution continues to grow worse. I believe that the Air Quality Act of 1967 will prove to be the start of a new era in air pollution control.

The act requires the Secretary of Health, Education, and Welfare to designate air quality control regions, to publish criteria on the effects of various pollutants in the air, and to issue information on available control techniques for these pollutants. The Governors of the States then have the responsibility of setting air quality standards for the control regions and for establishing programs to implement the standards. Taken together, the criteria on the effects of pollutants and the information on available controls will give direction to our research efforts.

In all, the provisions of this legislation are a logical and timely response to a growing national problem.

PRESS SUPPORT FOR THE GONZALEZ BILL TO STRENGTHEN THE RENEGOTIATION BOARD—SIXTH OF A SERIES

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I have addressed myself for days now to the role of the Renegotiation Board in recovering excess profits on space and defense contracts. I have warned of the increased war profiteering which is inherent in the great jump in defense contracts due to the Vietnam war. I have pointed out the anti-inflation tendencies of the Board's work, and how it reduces Government spending.

I have drafted and introduced legislation to restore the Renegotiation Board to the effectiveness that the current level of defense spending demands. My bill is H.R. 6792, introduced on March 8, 1967. I wish to present at this time an analysis of the six sections of H.R. 6792.

Section 1 contains the short title, the "Renegotiation Amendments Act of 1967."

Section 2 would establish the Renegotiation Board as a permanent agency. The life of the Board has been extended for 2-year periods since 1962.

Section 3 is a technical amendment.

Section 4 would again place the Tennessee Valley Authority under the review of the Renegotiation Board. TVA had been brought under the Board by Executive order in 1951, but was eliminated by amendment in 1956 at the close of the Korean war.

Section 5 would return to $250,000 the "floor" of total space or defense sales each year by a single contractor or subcontractor above which it is mandatory to file with the Board. The floor had been increased to $500,000 in 1954 and to $1,000,000 in 1956.

Section 6 would eliminate various of the main exceptions added by amendments to the original Renegotiation Act of 1951. Section 6(a) eliminates the partial exemption on competitively bid construction contracts. Section 6(b) eliminates the amendment of 1956 to the partial mandatory exemption for durable productive equipment which had broadened the definition of that equipment. Section 6(c) eliminates the mandatory exemption from renegotiation for standard commercial articles and services, presently defined as those articles and services of which 35 percent or more sold to nongovernment buyers. Section 6(d) provides that the above eliminations would be effective on June 30, 1967.

Mr. Speaker, to date I have received no support for my legislation to strengthen the Renegotiation Board from any Member of either body. However, several newspapers have supported H.R. 6792, and I have permission to insert the sixth in a series of these comments:

[From the Boston Sunday Globe, Aug. 13, 1967]

THE FLIES AND THE HONEY

"For the flies will come to the open honey,
And if war and hell have the same dimensions
Both have been paved with the best intentions,
And both are as full of profiteers."

—STEPHEN VINCENT BENET,
In "John Brown's Body."

With the cost of the war in Vietnam about to reach $26 billion a year, and with the Defense Department currently spending an annual average of $1600 for each American family, what is being done to curb war profiteering? Apparently, precious little.

Back during World War II, a Man from Missouri named Harry S. Truman got national headlines for his Senate investigations of war profiteering and, largely as the result of it, was picked for the Vice Presidency, whence in 1945 he reached the White House.

Also as a result of his work, and that of the War Contracts Price Adjustments Board which stemmed from it, the Federal government recovered more than $11 billion in "ex-

cess profits" from private contractors who did business with it during World War II.

Then in 1951, with the Korean War on, Congress established the Renegotiation Board as an independent agency with the sole mission of recovering any "excess profits" from contractors doing business with the government. As a result, more than $800 million was recovered during and after the Korean War.

The Renegotiation Board is still in existence, and trying hard with limited resources, but that is about all that can be said of it. Coincidentally, it is listed in the Washington telephone directory after "Referee in Bankruptcy" and "Registrar of Wills."

According to its last annual report, in the fiscal year ended June 30, 1966, it brought about the return to the U.S. government by private contractors of only $24.5 million in excess profits. Another $23.2 million was returned through "voluntary refunds" and "voluntary price reductions" in connection with renegotiation proceedings.

This is a pretty small amount compared with the $11 billion from World War II and the $800 million from the Korean War. And it is not the fault of the Renegotiation Board, which has been doing all it can.

The whole sad story is set forth, in an article that is as hot as a tamale, in the August issue of The Progressive magazine by Cong. Henry B. Gonzalez, the "New Frontier" Democrat from San Antonio, Texas.

The reason so little is being done, and despite the fact that prime contract awards this year will probably total $45 billion—the highest for any year since World War II—is that ever since 1954, Congress has been reducing the Board's ability to do its job.

Its personnel has been cut to less than a fourth of what it was during the Korean War (it stood at 742 in 1953, and was down to 179 in 1966). Its regional offices have been cut from six in 1954, including one in Boston, to two (one in Washington and one in Los Angeles).

All this is bad enough, but by amendments and exemptions Congress has been removing more and more private contracts from the purview of the Board. The floor for contract awards subject to renegotiation has been raised gradually from $250,000 to $1 million. And contracts involving standard commercial articles have been exempted—a pretty large open barn door for any loophole seeker.

There was even an attempt last year to abolish the Renegotiation Board altogether. It came from the Aerospace Industries Association of America, Inc., in a letter to the House Ways and Means Committee saying that letting the law expire "would not harm the nation's defense effort and would not increase the cost of procurement."

Fortunately it failed, but the Renegotiation Act comes up again next year. Instead of killing it, Congress ought to strengthen the Board, and do so immediately. It can do so by passing Cong. Gonzalez' bill, H.R. 6792, which would restore the $250,000 floor for contracts subject to renegotiation and otherwise strengthen the Board's powers to what they were when the Korean War broke out.

In his Farewell Address of 1960, President Eisenhower warned against the "military-industrial complex." That warning, instead of being heeded, has been forgotten by a Congress and a society too mindful of prosperity in a war economy and too oblivious to the needs of our ghettos.

Says Cong. Gonzalez: "Our history has been one of rampant war profiteering, and I am convinced, as even the limited annual reports of the Renegotiation Board reveal, that profiteering is going on now, is increasing, and will continue to increase unless something more realistic is done to stop it."

He is right. For as Benet said, the flies will come to the open honey, and so far Congress hasn't even seemed to be interested in old-fashioned fly-paper.

OLD MENTY IS GONE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. TIERNAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. TIERNAN. Mr. Speaker, on October 10, Frank William Keaney, longtime track, baseball, football, and basketball mentor and athletic director at the University of Rhode Island, died in Wakefield, R.I., after a long illness.

Frank Keaney was an unusual and rare individual. He was a Phi Beta Kappa graduate of Bates College, a professor of chemistry, physics and math, and a one-man physical education department. He coached baseball for 28 years, football for 21 years, and basketball for 26 years. In addition to these activities, he was a noted collector of old American glass, an inveterate reader of Greek and Latin classics, and a former professional ballplayer with the Chicago White Sox.

A real guy this Frank Keaney—known affectionately to all Rhode Islanders as "Old Menty." He revolutionized the game of basketball from a slow methodical dribble to the fast-break, razzle-dazzle, firehorse game that it is today. He was advised by many skeptics and critics that this innovative style of basketball had little future. Frank's reply was typical—"We don't say we're right, but you've got to stop us."

His colorful and fast-talking manner made Frank Keaney an extremely sought after favorite in sports circles all over the country.

"Old Menty" believed in wasting no time on the floor—the more shooting there was, the more baskets you made was his attitude. He sought to instill in his boys a fighting spirit that held no brief for quitters. His Rhode Island teams achieved national fame for their consistent 100 point games and there can be no doubt that Frank Keaney was truly the father of the first "point a minute" team.

At a New York luncheon for coaches from all parts of the country some years ago, "Old Menty" summed up his remarks by a few words which seemed to be his basketball philosophy:

Give the crowds action. If some coach puts up a screwy defense, use a screwier offense. Then, if you lose, pivot, and go home.

Although Frank Keaney retired 11 years ago, until recently, he was still in evidence on the campus, particularly on the floor of Keaney Gymnasium watching one of his protegés—Ernie Calverley—leading another Rhode Island team to victory. He was a true friend to all his boys—a man of great warmth, kindness, and enthusiasm. We in Rhode Island will miss this great and wonderful friend.

To his lovely wife and two sons, Warner and Frank, Jr., Mrs. Tiernan and I wish to extend our sincere sympathy on the loss of their husband and father—a man who now rests among the great in Rhode Island history.

Mr. Speaker, at this point, I would like to place in the RECORD four newspaper articles and an editorial on the passing of Frank William Keaney:

[From the Providence Evening Bulletin, Oct. 11, 1967]

FRANK W. KEANEY—HE BRIGHTENED HIS CORNER

The "Old Menty" is gone. The endearing term was coined by Ram athletes because to them their coach was first a teacher.

He taught boys the rules in the game of life, and they became men through their association with him and the lessons he taught through the medium of collegiate athletics.

A graduate of Bates College, he was a Phi Beta Kappa and a master of psychology. He did not smoke, drink or swear, but his colorful and expressive vocabulary could put mere profanity to shame. He disdained the "efforts of the big lugs" and gave every consideration to "the kids who came to play."

He changed basketball from a slow, methodical exhibition into the speedy, high-scoring game that is played today from high school through the pros. He installed the fast break, the floor length pass and the all-court press. He conditioned his players so that any team daring to play the Rams type of game with them would be run into the ground. They were trained by practicing with 15-inch hoops (18-inch is standard) and with smudge pots smoldering to assimilate game conditions of smoke-filled arenas.

When his Rams first appeared in Madison Square Garden and blitzed St. Francis with a record-breaking first-half scoring splurge, New York fans went ga-ga. Droves of them left the arena as Long Island University and Creighton put on a traditional exhibition in the "big game" of the night.

Frank said baseball was his game and advocated playing high school and college schedules in the autumn because the players were in better condition after a summer of outdoor activity and because weather conditions were at their best in this area.

He earned many honors for his accomplishments, and he also earned the admiration, respect and friendship of all who knew him well. His was a warm, friendly, outgoing and effervescent personality. He shared his enthusiasm and love of so many things with everyone.

He was my friend and I shall miss him.

[From the Providence Evening Bulletin, Oct. 10, 1967]

FRANK WILLIAM KEANEY

It is being said of Frank W. Keaney today that he was an innovator in sports, making over collegiate basketball in his own image, that he was a mentor in the classic sense of that word, that he was warmly gregarious, a colorful conversationalist, a man who won a memorable place in the whole range of the sports he loved so well.

All the things being said of Mr. Keaney, who died yesterday, are true. He was Mr. Basketball, and the records at the University of Rhode Island attest to a competence in coaching that made him and his university bywords on the sports pages of the nation's newspapers. On the campus, a great gymnasium is a towering memorial to his achievements.

But he was more than all these things. He had that elusive, that rare skill in leadership which can inspire others to do better than they thought they could do, better than they could have done under a less able man. It was his ability to inspire and lead that gave full meaning to all his other qualities and made Frank William Keaney the great man he was.

[From the New York Times, Oct. 11, 1967]

FRANK W. KEANEY, RETIRED COACH, 81—RHODE ISLAND'S BASKETBALL MENTOR UNTIL 1948 DIES

WAKEFIELD, R.I., October 10.—Frank W. Keaney, former athletic director at the University of Rhode Island and the coach who quickened the pace of college basketball by developing the fast break, died today in South County Hospital. He was 81 years old.

Mr. Keaney, the apostle of fire-horse play, also coached baseball, football, basketball and track. But his national reputation was made in basketball, where his teams compiled a record of 402 wins and 124 losses in 28 years.

Rhode Island played in the National Invitational Tournament in Madison Square Garden in 1941, 1942, 1945 and 1946. The highlight of the Rams' appearances there was the final game in 1946 when Rhode Island lost to the University of Kentucky by one point.

In the same tournament, Ernie Calverley, now the basketball coach at the university, fired the "shot heard 'round the world"—the ball traveling 55 feet to slip through the hoop and gain a victory for the Rams as the buzzer sounded.

Mr. Keaney was a member of Phi Beta Kappa at Bates College, where he earned a bachelor's degree in 1911. He taught at high schools in Connecticut, Massachusetts and Rhode Island before becoming the one-man physical education staff at the university, then Rhode Island State College.

He was named to the Basketball Hall of Fame at Springfield College several years ago.

Mr. Keaney retired from coaching in 1948 and became athletic director of Rhode Island. In 1956, he retired as professor emeritus of physical education.

[From the Narragansett Times, Oct. 13, 1967]

KEANEY, URI "FIRE HORSE," DIES AT 81

Prof. Frank W. Keaney, recognized as the apostle of "fire-horse basketball," died yesterday afternoon at South County Hospital after a long illness.

Born June 5, 1886, in Boston, Mass., Mr. Keaney was appointed to the University of Rhode Island faculty in June, 1920. He retired June 30, 1956.

A pioneer in developing high-scoring basketball teams, Coach Keaney's system was the forerunner of the "razzle-dazzle" style of play now used in professional basketball as well as in intercollegiate circles.

A graduate of Bates College in 1911, Mr. Keaney taught at Putnam, Conn. High School in 1911–12, at Woonsocket, R.I. High School in 1912–17, and at Everett, Mass. High School in 1917–20.

At URI he coached all sports, and was director of athletics when he retired.

Survivors are his widow, Winifred McKee Keaney of Peace Dale, and two sons, Frank W. Keaney Jr. and Warner M. Keaney.

When Mr. Keaney came to URI in 1920 as coach of all sports, athletic director, and "instructor of chemistry, physics, mathematics or bacteriology," his first move, in the fall of that year, was to burn all of URI's athletic equipment: a dozen football shoes and fourteen pairs of boxing gloves.

He demanded that President Howard Edwards buy three dozen new football uniforms and began a 36-year career marked by the spectacular, particularly in basketball, where he instituted the fast break. His "fire-horse" type of play revolutionized the game and set the pace for today's high scoring games. His team gained national recognition as it began scoring over 100 points per game with consistency, and its trips to Madison Square Garden were the signal for some of the hottest contests ever to beset Manhattan.

In basketball, Keaney's record was 401 wins and 124 losses. In baseball it was 197 victories and 97 setbacks. In football it was 70 wins to 84 losses with 13 ties. His cross country record was marked with eight triumphs and not a loss and his track record was seven of eleven in the winner's circle. In all, his teams engaged in 1,006 contests.

The URI gymnasium named after him was dedicated Dec. 1, 1953.

Keaney attended Roberts Grammar School and Cambridge Latin School, both in Cambridge. He played on the Cambridge Latin football, basketball, and baseball teams. On weekends he indulged in gruelling cross-country runs, sandlot football or baseball, and swimming. He ran three miles a day.

He went to Bates College in 1911 and first taught in ungraded rooms for three years. On the Bates baseball team Keaney was known as "pepper box" with a .480 batting average and 38 stolen bases. After graduating he joined the Chicago White Sox of the American Baseball League, but within two weeks he was sent to the Des Moines minor league team and after a summer left professional ball. He could hit and run, but his arm was never strong enough for the big league, Keaney explained.

"But I got my fair chance at the big time," he said.

In 1914 he married Winifred McKee, a former classmate at Bates. Mrs. Keaney took charge of the URI's coed physical education program while her husband was setting records with the men's team.

In six years, the basketball Rams took four trips to the National Invitational Tournament and in their final tournament defeated a heavily favored Bowling Green team. A 55-foot shot by Ernie Calverley, present Ram hoop coach, sent the game into overtime. They topped Muhlenberg in the semi-finals and were eked out by Kentucky 46–45, in the finals.

Keaney collected old American glass and fine china, and had a cellar full of classical books in Greek and Latin which he read for relaxation.

Keaney never drove a car and one of his major complaints was aimed at students who had "automobile knees." He walked 12 miles a day and wore a meter to make sure he filled his quota. Alcohol and tobacco were definitely out.

He described his greatest thrill when his Rams came from behind, 26 to 8, to pull out ahead of Temple at Convention Hall in Philadelphia on January 31, 1941. "That was real fighting spirit," he said, "the kind I like my boys to show. I have no use for quitters and those lads proved they weren't."

Funeral services were held this afternoon at 2 p.m. at the Kingston Congregational Church with the Rev. John Hall, Episcopal chaplain to URI, officiating. Burial was in New Fernwood Cemetery, Kingston.

Honorary bearers were William Mokray, Marcus Greenstein, Dr. Carl Woodward, Paul Cieurzo, Hugo Mainelli, Jesse DeFrance, Thomas Doherty, Dr. Harold Browning, and Dr. A. A. Savastano. Active bearers were Robert Lepper, James D. Wright, Ernest Calverley, Louis Abruzzi, Robert Mudge, and William Rutledge.

[From the Providence Evening Bulletin, Oct. 10, 1967]

FRANK KEANEY, FORMER COACH AT URI, DIES

Frank William Keaney, nationally famous for developing the fast break with his University of Rhode Island basketball teams, died yesterday at South County Hospital in Wakefield. He was 81 and had been ill since spring.

The apostle of "firehorse" play was a notable coach in baseball, football, basketball and track at URI, then Rhode Island State College, but his national reputation was made in basketball, where his record comprised 402 wins and 124 losses in 28 years.

His Ram teams went to the National Invitational Tournament in Madison Square Garden in 1941, 1942, 1945 and 1946. New York fans loved his run-and-shoot basketball. But the highlight of URI appearances there was the final tournament game in 1946 when the Rams lost to Kentucky by one point in a thriller.

That was the same tourney in which Ernie Calverley, now the URI basketball coach, fired the "shot heard around the world"—the ball traveling 55 feet to slip through the hoop and tie the game against Bowling Green as the buzzer sounded. The Rams won in overtime.

Mr. Keaney, who had been an athletic star at Bates College, was an unusual coach. He was a great innovator. This coupled with his fast-talking colorful manner made him a great favorite in sports circles throughout the nation.

His basketball teams reflected his personality, fast-moving and high-scoring with no time wasted. Mr. Keaney always felt that if you did more shooting and made more baskets, you were likely to win. He was credited with producing the first "point a minute" team.

He was the husband of Winifred (McKee) Keaney, whom he married in 1914. They made their home at 23 Beech Hill Rd., Peace Dale.

A son of the late Frank W. and Nellie (Cotter) Keaney, he was born in Boston June 5, 1886.

A Phi Beta Kappa at Bates, where he got his B.A. degree in 1911, Mr. Keaney taught at high schools in Putnam, Conn., Woonsocket and Everett, Mass., before he became the one-man physical education staff at then Rhode Island State College.

He retired from coaching in 1948 and became athletic director of URI. On June 30, 1956, he retired as professor emeritus of physical education.

The Frank W. Keaney Gymnasium was dedicated in his name on June 6, 1955.

The honors showered upon him were many. He was presented the award of the Boston Basketball Writers in 1952. That same year he was presented the Frank Lanning Annual Award by Words Unlimited.

He was the first man inducted into the URI Hall of Fame on Feb. 9, 1960. Shortly thereafter he was one of three coaches and seven players named to the Basketball Hall of Fame at Springfield College. Mr. Keaney also was inducted into the Rhode Island Heritage Hall of Fame on May 24, 1966.

He won the Walter Brown Memorial Trophy at the New England Basketball Writers annual dinner in Newton, Mass., on April 3 of this year. His son, Warner M. Keaney, accepted the prize on his behalf. Warner, a 265-pound giant, had played for his dad and handled the backboards the way the coach visualized the game should be played.

Warner lives in Wakefield and is football and baseball coach at South Kingstown High School.

Another son, Frank W. Keaney Jr., who lives in East Windsor, Conn., also played for the "grand old man" and has also been a coach.

The stories about Mr. Keaney were more numerous than the points his teams scored. He was an avid collector of glass spoon holders. Mr. Keaney scoured antique shops with the same zeal with which he fired his teams and collected about 600 holders.

He was so wrapped up in sports there were some things he never got around to do. Friends said he was too absent-minded and absorbed in other matters to learn how to drive a car.

Mr. Keaney taught chemistry at URI for many years. He coached football from 1920 to 1941 and baseball from 1921 to 1949.

In other sports, as well as basketball, he believed in mobility. His 1941 baseball team stole 58 bases.

When Mr. Keaney first turned to speed on the basketball court, his critics held little hope for the future of his style of play. But Mr. Keaney replied, "We don't say we're right, but you've got to stop us."

Once he told a group of coaches from all parts of the country at a New York luncheon: "Give the crowds action. If some coach puts up a screwy defense use a screwier offense. Then if you lose, pivot and go home."

An imaginative coach, Mr. Keaney prepared his teams for the New York garden by keeping smudge pots burning during practice sessions at Rodman Hall. It was to ready the Rams for cigarette smoke during the championship games.

Another of his tricks was having his players practice with smaller rims on the baskets. The practice rims measured 15 inches in diameter and were inserted inside the regular 18 inch hoops.

Mr. Keaney made a motion picture, "How Not to Play Basketball," that gained wide circulation. Hollywood later came to the Kingston campus and made a film entitled "Basketball Wizards" demonstrating the Keaney methods.

Upon his retirement, Dr. James P. Adams, chairman of the board of trustees, spoke of "his significant service to the university over a long span of years."

In addition to his sons, Mr. Keaney is survived by his wife, a sister, Mrs. Charles Plummer of Needham, Mass. and four grandchildren.

Funeral services will be held tomorrow at 2 p.m. at the Kingston Congregational Church. Burial will be in New Fernwood Cemetery, West Kingston.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BUTTON (at the request of Mr. ARENDS), for today, on account of official business.

Mr. SANDMAN (at the request of Mr. ARENDS), for today, on account of personal matter.

Mr. ASPINALL, from October 23 to November 6, 1967, on account of official business.

Mr. FLYNT (at the request of Mr. FALLON), for today, on acount of official business.

SPECIAL ORDERS GRANTED

By uanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MACGREGOR, for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. LIPSCOMB (at the request of Mr. HANSEN of Idaho), for 30 minutes, on October 24; and to revise and extend his remarks and include extraneous matter.

Mr. HALFERN (at the request of Mr. HANSEN of Idaho), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. DORN and to include extraneous matter.

(The following Member (at the request of Mr. HANSEN of Idaho) and to include extraneous matter:)

Mr. GUBSER.

(The following Members (at the request of Mr. MONTGOMERY) and to include extraneous matter:)

Mr. RIVERS.

Mr. PHILBIN.

Mr. BRASCO in three instances.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 11456. An act making appropriations for the Department of Transportation for the fiscal year ending June 30, 1968, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 741. An act for the relief of Rumiko Samanski.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 11456. An act making appropriations for the Department of Transportation for the fiscal year ending June 30, 1968, and for other purposes.

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 59 minutes p.m.), the House adjourned until tomorrow, Friday, October 20, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1169. A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting the semiannual report on the strategic and critical materials stockpiling program for the period January 1 to June 30, 1967, pursuant to the provisions of Public Law 79–520; to the Committee on Armed Services.

1170. A letter from the Chairman, Interstate Commerce Commission, transmitting a draft of proposed legislation to amend section 17 of the Interstate Commerce Act, as amended, to provide for judicial review of orders of the Commission and for other purposes; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CELLER: Committee of Conference. H.R. 2508. An act to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes (Rept. No. 795). Ordered to be printed.

Mr. COLMER: Committee on Rules. House Resolution 951. Resolution for consideration of H.R. 12601, a bill to amend certain provisions of the Internal Security Act of 1950 relating to the registration of Communist organizations, and for other purposes (Rept. No. 796). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 952. Resolution for consideration of H.R. 13510, a bill to increase the basic pay for members of the uniformed services, and for other purposes (Rept. No. 797). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 953. Resolution for consideration of S. 1985, an act to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes (Rept. No. 798). Referred to the House Calendar.

Mr. SIKES: Committee on Appropriations. H.R. 13606. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 799). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H.R. 13584. A bill to amend title 28 of the United States Code to establish the National Foundation of Law to promote improvement in the administration of justice in the United States; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 13585. A bill to amend section 103 of title 23, United States Code, to authorize additional mileage for the Interstate System; to the Committee on Public Works.

By Mr. GALLAGHER:

H.R. 13586. A bill to raise additional revenue by tax reforms; to the Committee on Ways and Means.

By Mr. GARDNER:

H.R. 13587. A bill to amend the Economic Opportunity Act of 1964 to further limit political activity on the part of workers in poverty programs; to the Committee on Education and Labor.

By Mr. GIAIMO:

H.R. 13588. A bill to establish a program for the voluntary certification of motor vehicle mechanics by the Secretary of Transportation; to assist the States in establishing programs for the compulsory licensing of motor vehicle mechanics; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McCLURE:

H.R. 13589. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

H.R. 13590. A bill to amend the tariff schedules of the United States with respect to the rate of duty on honey and honey products and to impose import limitations on honey and honey products; to the Committee on Ways and Means.

H.R. 13591. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink,

whether or not dressed; to the Committee on Ways and Means.

By Mr. MOSS (for himself, Mr. JOHNSON of California, Mr. LEGGETT, Mr. MCFALL, Mr. SISK, MR. VAN DEERLIN, and Mr. BOB WILSON):

H.R. 13592. A bill to provide for the appointment of additional circuit judges; to the Committee on the Judiciary.

By Mr. RIVERS:

H.R. 13593. A bill to amend title 10, United States Code, to increase the number of congressional alternates authorized to be nominated for each vacancy at the Military, Naval, and Air Force Academies; to the Committee on Armed Services.

By Mr. ROGERS of Florida:

H.R. 13594. A bill to provide criminal penalties for certain travel under a U.S. passport in violation of certain passport restrictions; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 13595. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

H.R. 13596. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 13597. A bill to amend title 38 of the United States Code in order to provide pensions for children of Mexican War veterans; to the Committee on Veterans' Affairs.

By Mr. TIERNAN:

H.R. 13598. A bill to amend the Public Health Service Act to provide special assistance for the improvement of laboratory animal research facilities; to establish standards for the humane care, handling, and treatment of laboratory animals in departments, agencies, and instrumentalities of the United States and by recipients of grants, awards, and contracts from the United States; to encourage the study and improvement of the care, handling, and treatment and the development of methods for minimizing pain and discomfort of laboratory animals used in biomedical activities; and to otherwise assure humane care, handling, and treatment of laboratory animals; and for others purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 13599. A bill to amend title V of the Social Security Act so as to extend and improve the Federal-State program of child welfare services; to the Committee on Ways and Means.

By Mr. GALIFIANAKIS:

H.R. 13600. A bill to prohibit federally insured banks from making unsolicited commitments to extend credit, and to prohibit the transportation, use, sale, or receipt, for unlawful purposes, of credit cards in interstate or foreign commerce; to the Committee on Banking and Currency.

By Mr. MCMILLAN (by request):

H.R. 13601. A bill to authorize the Administrator of the General Services Administration to contract for the construction of certain parking facilities on federally owned property in the District of Columbia; to the Committee on Public Works.

By Mr. BURKE of Florida (for himself and Mr. BATES):

H.R. 13602. A bill to provide for orderly trade in footwear; to the Committee on Ways and Means.

By Mr. MACGREGOR:

H.R. 13603. A bill to amend the Federal Water Pollution Control Act in order to authorize comprehensive pilot programs in lake pollution prevention and control; to the Committee on Public Works.

By Mr. ROTH:

H.R. 13604. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 13605. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. SIKES:

H.R. 13606. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes.

By Mr. DORN:

H.J. Res. 901. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

By Mr. MCMILLAN (by request):

H.J. Res. 902. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

By Mr. MIZE:

H.J. Res. 903. Joint resolution creating a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program of the United States; to the Joint Committee on Atomic Energy.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MACHEN:

H.R. 13607. A bill for the relief of James E. Miller; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 13608. A bill for the relief of Stella Kostoglou; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 13609. A bill for the relief of Menashe Menashe; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 13610. A bill for the relief of Janina Szmyd; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 13611. A bill for the relief of Soo Pu Hwang; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 13612. A bill for the relief of Salvatore Badala; to the Committee on the Judiciary.

H.R. 13613. A bill for the relief of Vito Conigliaro; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 13614. A bill for the relief of Dr. Gustavo Leon-Lemus; to the Committee on the Judiciary.

H.R. 13615. A bill for the relief of Dr. Raul Agustin Pereira-Valdes; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

185. By the SPEAKER: Petition of the city of Gardena, Calif., relative to enactment of S. 1306; to the Committee on Banking and Currency.

186. Also, petition of the city of San Jose, Calif., relative to Governmental tax sharing; to the Committee on Ways and Means.

SENATE

THURSDAY, OCTOBER 19, 1967

The Senate met at 12 noon, and was called to order by Hon. JOSEPH M. MONTOYA, a Senator from the State of New Mexico.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, our Father, who dwellest, not in temples made by hands, but in reverent hearts of those who truly seek Thee—with the refreshing dew of Thy strengthening grace upon us, may we go forth on our way, attended by the vision splendid, as we lift up our hearts with the grateful te deum, "He restoreth my soul."

With Thy benediction, may we face the toil of this day with honest dealing and clear thinking, with hatred of all hypocrisy, deceit, and sham, in the knowledge that all great and noble service in this world is based on gentleness and patience and truth.

Let us put into the fugitive fragments of every day such quality of work as shall make us unashamed when the day is over and all the days are done.

We ask it in the dear Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., October 19, 1967.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOSEPH M. MONTOYA, a Senator from the State of New Mexico, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. MONTOYA thereupon took the chair as Acting President pro tempore.

MESSAGE FROM THE PRESIDENT—APPROVAL OF BILL

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on October 18, 1967, the President had approved and signed the act (S. 985) for the relief of Warren F. Coleman, Jr.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 445) for the relief of Rosemarie Gauch Neth, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 1108) for the relief of Dr. Felix C. Caballol and wife, Lucia J. Caballol, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the joint resolution (H.J. Res. 888) making continuing appropriations for the fiscal year 1968, and for other purposes, in which it requested the concurrence of the Senate.